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Vol. IV

TRANSCRIPT OF RECORD

(Pages 1415 to 1976)

Supreme Court of the United States

OCTOBER TERM, 1944

No. 57

THE ASSOCIATED PRESS, PAUL BELLAMY, GEORGE FRANCIS BOOTH, ET AL., APPELLANTS,

vs.

THE UNITED STATES OF AMERICA

No. 58

TRIBUNE COMPANY AND ROBERT RUTHERFORD McCORMICK, APPELLANTS,

vs.

THE UNITED STATES OF AMERICA

No. 59

THE UNITED STATES OF AMERICA, APPELLANT,

vs.

THE ASSOCIATED PRESS, PAUL BELLAMY, GEORGE FRANCIS BOOTH, ET AL.

APPEALS FROM THE DISTRICT COURT OF THE UNITED STATES FOR THE SOUTHERN DISTRICT OF NEW YORK

FILED APRIL 13, 1944.

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[fol. 1742] IN THE DISTRICT COURT OF THE UNITED STATES FOR THE SOUTHERN DISTRICT OF NEW YORK

[Title omitted]

Affidavits Filed in Behalf of Defendants, The Associated Press, et al., in Opposition to Motion of Plaintiff for Summary Judgment

[fols. 1743-1746] AFFIDAVIT OF FRANK B. NOYES

CITY OF WASHINGTON,
District of Columbia, ss:

FRANK B. NOYES, being duly sworn, says:

I am a defendant in the above action and make this affidavit in opposition to the plaintiff's motion for summary judgment.

I was born in Washington, D. C., on July 7, 1863. I attended the grade schools of that city and later entered the Preparatory Department of Columbian College, now George Washington University. From there, I attended the Spencerian Business College.

I served as President of defendant, The Associated Press, from 1900 to April 28, 1938, and have been a director and member of the Executive Committee since 1900. My present term as director expires in 1944.

I became associated with the newspaper business at the age of 17. My father, Crosby S. Noyes, was at that [fol. 1747] time the editor of the Washington (D. C.) Star, having served that paper since 1855. I served my apprenticeship in the business office and as a reporter on the Washington Star and became Treasurer and Business Manager of the paper in 1886.

In 1902, I became Editor-in-Chief of the Chicago Record Herald and acquired ownership of that paper in 1903.

In 1910, I sold my interest in the Chicago Record Herald and from that time on have been associated with the Washington Star. At present, I am the President of the Evening Star Newspaper Co., the publisher of the Washington Star.

I shall attempt in the succeeding paragraphs to set forth a short history of the events leading up to the formation of defendant, The Associated Press.

In order to make clear the situation as respects the machinery for gathering and distributing news in 1893, at which time I first became connected with a news gathering organization; it will be necessary for me to trace briefly the history of news gathering organizations for a period of years before 1893.

The facts in connection with these early years (1850-1893), while not within my personal knowledge, nevertheless have been well recorded. By reason of my long association with news gathering organizations and studies which I have made of such organizations, I have become thoroughly familiar with the developments which occurred during those early years.

Concerning the period of 1893 to date, I speak of things which are directly within my personal knowledge and in which I took part.

Some time before 1850, the owners of certain newspapers in the City of New York banded together under a mutual arrangement for joint news gathering at common expense. From the inception of this organization, which came to be known as the New York Associated Press, the six or seven big dailies of New York City, which had formed the asso- [fol. 1748] ciation, were in absolute control. The news which was collected was collected primarily for their own benefit. They determined all questions of policy without consulting others.

The New York organization was in no sense a true co-operative endeavor. From time to time the New York Associated Press took on "clients" in other cities and sections, sometimes as groups and sometimes as individuals, the relationship being that of vendor and vendee of news. The income received from these clients was sufficient to pay for most of the expenses of gathering the news. As a result, the six or seven originating New York newspapers obtained their news reports practically without expense to themselves.

In addition to the New York Associated Press, there existed in other parts of the country groups of newspapers bound together under loose-knit joint news gathering arrangements. Among such organizations with which relations were from time to time established on an exchange of news basis with the New York organization were the Western Associated Press, an organization of midwest and southwest newspapers, the New England Associated Press,

the New York State Associated Press and the Southern Associated Press. There also existed in such cities as Philadelphia and Baltimore local press associations composed of the local newspapers in those cities. The New York organization, however, was the dominant organization. The newspapers in the interior cities beyond the Alleghenies took all the news that the New York Association was willing to send them, gave their news to the New York Association, and paid what was demanded. This situation ran on until 1882 when the Western Associated Press, by far the strongest of the smaller organizations, refused longer to be subjected to the absolute dominance and demands of the New York organization. An agreement followed under which the relations of the two organizations and the conduct of the joint business was entrusted to a committee of five, three representing the New York [fol. 1749] organization and two the Western Association, with the former General Manager of the Western Association acting as General Manager of the joint operations.

From time to time other competing organizations appeared, and one—the United Press (not to be confused with the present United Press Associations)—gradually became of especial importance. This organization was controlled by three men, William M. Laffan, then the Business Manager of the New York Sun, John R. Walsh, a banker in control of the Chicago Herald, and Walter Polk Phillips, the General Manager of the United Press.

Little by little it became evident that the joint operations of the New York Associated Press and Western Associated Press were being conducted in close and curious harmony with the United Press. It became evident that the United Press had access to the joint Associated Press reports and that the management of the two Associated Press organizations was encouraging members of their organizations to take the United Press report also.

This boring from within process resulted in the thorough honeycombing of the structure of both the New York Associated Press and Western Associated Press until a very large percentage of the revenues of the United Press were being drawn from the joint Associated Press papers.

In 1891, a crisis developed when it was discovered that not only had there been a secret agreement for the exchange of news between the Joint Committee of the New York Associated Press and Western Associated Press and

the United Press, but that a majority of the members of the Joint Committee and the General Manager had become stockholders in the United Press and had a financial interest in its prosperity.

The Board of Directors of the Western Associated Press immediately took steps to cancel the agreements made by the Joint Committee. The New York organization, having been effectively undermined soon passed out of existence, the United Press superseding it entirely. The original [fol. 1750] seven New York newspapers who had organized the New York organization and all of the clients of the New York organization became clients and many of them stockholders of the United Press.

The more active members of the Western Associated Press were desirous of organizing a strong western organization, one which could bargain on more favorable terms with the all-powerful United Press. At this time (1892), the United Press was furnishing all of the foreign news, the general eastern news and the Congressional news. The Western Associated Press was purchasing these reports, developing little of the news outside of their own territory.

Late in 1892 certain of the members of the Western Associated Press incorporated in the State of Illinois The Associated Press of Illinois as a joint stock corporation. The object for which it was formed was "to buy, gather and accumulate information and news", and "to vend, supply, distribute and publish the same". In addition, it acquired the right, never exercised, "to purchase, erect, lease, operate and sell telegraph and telephone lines and other means of transmitting news".

In February 1893, the Executive Committee of The Associated Press of Illinois came to New York to execute a joint arrangement contract with the United Press. They were met, however, by Mr. Laffan with a peremptory repudiation of the proposed agreement for joint operations and a demand that certain moneys be paid before the close of banking hours that day, in default of which service to the west and south would be cut off. Mr. Laffan also advised the Executive Committee of The Associated Press of Illinois that he and his associates would inform them later of the terms that the United Press would impose.

Futile negotiations ensued, the representatives of The Associated Press of Illinois being willing to pay tribute provided they could preserve the independence of their

organization, but Mr. Laffan finally notified them that [fol. 1751] under no circumstances would the United Press reopen negotiations looking to a contract for news service.

The men most actively engaged in organizing The Associated Press of Illinois, Victor F. Lawson, Charles W. Knapp, Frederick Driscoll and Melville E. Stone, conceived the idea of establishing a nationwide news gathering organization which should be owned and controlled solely by newspapers. To create and maintain such an organization they were compelled to fight the United Press. This was the beginning of non-profit cooperative news gathering in the United States. The aims of The Associated Press of Illinois to establish a cooperative nonprofit organization to be owned solely by newspapers was explained to me in the fall of 1893 by Victor Lawson, the President, Melville Stone, the General Manager, and Charles Diehl, the Assistant General Manager. I was so impressed by what they were seeking to accomplish that I immediately associated myself and the Washington Star with the Illinois group and shortly thereafter became a director.

The Associated Press of Illinois began its own independent service of world wide news on September 7, 1893. Illinois at that time had no statute under which a membership corporation could be organized. The new association was therefore organized with both stockholding and non-stockholding representatives of newspapers. At the outset there were 62 stockholders and over 200 non-stockholders. The stockholders, who were the sponsors and financial backers of the new organization, were given a right of veto, under which the admission of another paper published in a stockholder's territory could be barred.

Coincident with the starting of the independent news service, the assessments of the stockholding members, to whom no dividends were ever paid, were increased 30%, and shortly thereafter the stockholders subscribed to a guarantee fund, which with subsequent additions reached over $550,000, to meet the expected deficits in the course of the ensuing struggle with the United Press. Mr. Stone, as [fol. 1752] his first activity as General Manager, made a trip to England where he contracted for an exchange arrangement with Reuter, Havas and Wolff and other European news agencies.

The fight was at once carried into the east and almost immediately the new organization gained important ad-

herents in that section of the country. Among the earliest recruits were the New York Evening Post and the Brooklyn Eagle, soon the New York World and six of the leading Philadelphia papers followed.

Lawson and Stone devoted all of their time to making new converts to the cause of cooperative news gathering, traveling constantly from place to place working as they never would have worked for any mere private interest of their own.

In order more effectively to carry out the fight and to prevent the United Press from again disrupting the organization by the boring from within process which they had so successfully used in undermining the old New York Associated Press and the Western Associated Press, there was included in the by-laws of The Associated Press of Illinois a provision that no member should furnish or permit anyone to furnish its special or other news report to, or receive news from, any person or corporation which should be declared by the Board of Directors to be antagonistic to the Association, and that further no member should furnish its news to any other person, firm or corporation engaged in the business of collecting and transmitting news except with the written consent of the Board of Directors.

Year by year our membership grew, while the number of clients of the United Press dwindled. The fight, however, was prolonged. Both sides were running under heavy deficits, the losses on our side being divided between the considerable number of stockholders who had participated in the guarantee fund and the voluntary increases in assessments, and those of the United Press between four New York newspapers, the Sun, the Herald, The Times and the Tribune, who had become the real backers of the [fol. 1753] United Press. The process of accretion on the one side and attrition on the other went on. In 1896 and early in 1897 various fruitless conferences between the opposing leaders took place, but the conflict continued until late in 1897 when by a vote of the Directors of the United Press that concern dissolved.

The issue at stake in this struggle was whether the newspapers of the United States were to be at the mercy of a privately-owned news collecting and distributing organization—at its mercy not only with respect to money tributes

but, of more importance, with respect to the type of news received. During this struggle, I became convinced, and my conviction has been strengthened throughout the passing of the years, that an unbiased, complete and accurate news report uninfluenced by the interests and opinions of private individuals could only be attained through a cooperative, nonprofit-making organization, composed solely of the owners of newspapers working together for their common benefit. We were partly successful in attaining that goal in The Associated Press of Illinois. The members of The Associated Press of Illinois, during those years, and especially the members who were stockholders, worked to attain that goal at the risk of their own financial destruction.

All of us who joined The Associated Press of Illinois in those early years knew that our organization was looked upon by Mr. Laffan and the others who controlled the United Press as a senseless rebellion. We carried on our plan of a cooperative news gathering organization in the face of knowledge that heavy reprisals would be exacted by Mr. Laffan and the United Press in the event that The Associated Press of Illinois was not successful.

Following the collapse of the United Press, a wild scramble ensued to secure membership in The Associated Press of Illinois.

We adopted a policy that no reprisals were to be exacted and the applications which then came in were considered on the merits and by the cardinal principle which has ever [fol. 1754] since governed the election of members into The Associated Press, namely, "Would the election of the applicant contribute to and benefit the cooperative nature of our organization and the membership as a whole?"

At this point, I should like to digress a minute to point out that neither The Associated Press of Illinois nor The Associated Press, defendant herein, was organized with the idea that membership should be available to all. Both were organized by their charter members as vehicles for the mutual cooperative collection and exchange of news among themselves. We recognized that, in order to establish a true cooperative organization, the members must have the opportunity to select their own associates. Only in this way could the cooperative nature of our organization be maintained and the loyalty of its members assured.

In 1900, the decision of the Supreme Court of the State of Illinois in the Inter Ocean case held that The Associated Press of Illinois was a common carrier and must serve all those who desired to receive its service. To support its decision, the Court seized upon a wholly unnecessary and unused clause in the charter of The Associated Press of Illinois which gave it the right to erect and maintain telegraph wires.

The effect of this decision upon the organization which we had so laboriously built up was readily apparent. It struck at the very vitals of our cooperative enterprise.

Accordingly, Melville Stone resigned as General Manager and many of the members of the Board of Directors, including myself, refused to stand for reelection. After a most exhaustive investigation and after taking legal advice from the leaders of the bar throughout the country we formed the present The Associated Press under the Membership Laws of the State of New York.

The charter provided that the objects and purposes of the corporation were "to gather, obtain and procure, by its own instrumentalities, by exchange with its members and by any other appropriate means, any and all kinds of infor- [fol. 1755] mation and intelligence". It also provided that the gathering and exchange of such information and intelligence was to be solely "for the use and benefit of its members" and that the Association was "not to make a profit nor make or declare dividends". I emphasize this because it shows that we did not undertake to establish a news gathering organization to serve all newspapers. Our purpose, and it was so explicitly set forth not only in the charter but also in the by-laws, was to form an association of newspapers in which they could "unite in a mutual and cooperative organization for the collection and interchange" of information and intelligence "for publication in the newspapers owned or represented by them".

The old Illinois corporation had been a joint stock company. Many of its members did not own any stock and had no voice in any of the policies of the corporation. We determined to make the new corporation a truly cooperative corporation, one without stockholding rights. We, therefore, provided in our by-laws that all members should have a vote in the affairs of the Association, reserving the regulation of assessments to the Board of Directors because the amount of the assessments paid by a small num-

ber of newspaper members having large circulation was so great in proportion to the amount paid by a similar member having small circulation that it would have been inequitable to leave the matter of assessments to a majority vote.

In order to raise needed funds we provided for an issue of bonds to be sold to those members who had, as stockholders of the Illinois corporation, provided the financial backing in the struggle with the United Press. We incorporated in the by-laws a provision giving each bondholder an additional vote in connection with the election of directors for each $25 bond held by such bondholder and upon which the bondholder had waived interest. The maximum amount of bonds which any one newspaper could own was $1,000. In 1928, the by-laws were amended so that every member might purchase bonds and acquire the incidental [fol. 1756] voting rights, with $1,000 as the maximum and $100 as the minimum.

We provided that new members be elected by a vote of four-fifths of all members. This has now been reduced to a majority. Under the old Illinois corporation, new members were elected only by vote of the directors who were chosen by the stockholders and the directors were limited by the veto rights of the stockholders.

We provided in the new corporation that new members might also be elected by a majority of the Board of Directors alone, but in order to give some control over the election of such members by the Board, so-called protest rights were given to those members who had held veto rights in the old Illinois corporation. These so-called protest rights entitled the holders thereof to protest the election by the Board alone of any new members within a specified area of the protesting member, usually an area within a radius of 30 or 60 miles from the place of publication of the protesting member. The exercise of such protest right thus required the application to go before the entire membership for a vote.

All members of the Illinois corporation were invited to join the new corporation. We assured them that so far as was legally practicable we would retain the mutual cooperative nature of the old organization and the right of members to choose their own associates.

The response was practically unanimous. The new organization began operations on midnight, September 30,

1900. I became its first President and had the honor to serve in that office for 38 years.

When we organized the present Associated Press, we were faced with the fact that the membership which had come to us from the Illinois organization had spent a great deal of time and effort in building up the organization and the news report. We were faced with the fact that if we desired to build up the new organization we had to recognize the status of the newspapers in the previous organ- [fol. 1757] ization. For myself, I would not have gone into the present organization, and I don't believe anyone else would have gone into it, if we hadn't maintained the right of members to choose their own associates.

As stated above, it was not contemplated by the men who organized The Associated Press of New York that all daily newspapers in the United States should become members. For many years before 1900, there had been rival news agencies in the United States and in 1900, at the time of the incorporation of The Associated Press of New York, there were many competing agencies owned by publishers or men associated with the publication of newspapers. Some of these agencies were definitely hostile to the Associated Press, such as the Laffan News Bureau, which was controlled by the publishers of the New York Sun. Others did not believe in the cooperative principle and were of the opinion that the reports of a news agency should reflect a particular point of view.

At the time of its organization, approximately one-third only of the daily newspapers in the United States became members of The Associated Press. Most of the newspapers in metropolitan areas both in the morning and evening fields were original members, with the exception of the Scripps papers, several recently launched Hearst papers, the New York Sun and the Washington Times, then exclusively a morning paper. These original members from metropolitan areas were the papers which had borne the brunt of the long fight to establish a truly cooperative news agency. Many of them had contributed large sums of money to the Associated Press of Illinois at times when without such financial support those organizations could not have survived the competition of the privately owned news agencies. They had remained loyal to the coopera-

tive organization despite threatened reprisals and at great cost in time and energy as well as money.

The objective which these men set themselves was a news report which should be comprehensive, accurate and [fol. 1758] unbiased. Lack of bias could be and was achieved through the facts (1) that the members were of every shade of opinion on all controversial matters, (2) that no one of them, or group of them, could under the setup of the organization control the news report and (3) that any member violating the by-laws of the corporation could be suspended or even expelled.

Accuracy could be and was attained through the cooperation of members in reporting the news of their vicinages and in the training of the reporters, correspondents and editors employed by The Associated Press in gathering and editing the news of the world, including that furnished by members.

Completeness so far as domestic news was concerned depended upon the extent of member coverage of the news. In the metropolitan areas where there were already member papers in both morning and evening fields, additional members would not substantially augment the coverage of local news of those areas. On the other hand, there were a large number of newspapers in medium-sized and small cities which were not members and from which, under the conditions existing in 1900 and for some years thereafter, coverage of local news by the Associated Press was incomplete. Accordingly, members of The Associated Press and its Board of Directors sought and continue to seek the addition to membership of at least one newspaper in each of such communities in order that its coverage of the domestic news of the United States might be complete.

Since The Associated Press in its origin was and always has been a cooperative organization for the benefit of its members, admission to membership has been granted to those newspapers whose admission would, in the judgment of the Board of Directors, provide a needed addition to the coverage of local news and be for the best interests of the Associated Press and its membership. This was always the basis upon which I acted.

[fol. 1759] In the past forty-three years over 1800 newspapers have been elected to membership, but throughout that period there have always been hundreds of news-

papers, large and small, in every part of the country, which have been successfully published without membership in the Associated Press.

With the development of many new population centers, it became evident that the territorial area covered by the protest rights was too large and that the areas within which rights of protest existed should be curtailed. A program was adopted about 1916 to have the holders of protest rights voluntarily waive such rights for all territory except the city of publication and the area within a radius of 10 miles. By 1925, all the holders of protest rights had voluntarily restricted their protest rights to the small area except in Nashville, Los Angeles and San Francisco.

We carried over into the by-laws of the new organization the requirement that each member furnish exclusively to The Associated Press its local news of spontaneous origin. Without such a requirement, the establishment at that time of a mutual coöperative news gathering organization was impractical, for obviously if the members did not furnish their local news to the Association there would be no news report—nothing to exchange. Equally clear was the fact that if members were permitted to give their local news to non-members and to other news gathering organizations, the incentive in building up a distinctive and thus valuable news report on behalf of all members would not only be greatly impaired but might ultimately lead to the situation in which the old New York Associated Press and the Western Associated Press found themselves in 1892 and 1893.

In 1937, when conditions had changed, the by-laws were modified by adding a class of members known as Associate Members. Any newspaper which thought it important to supply local news to others than The Associated Press was permitted to do so by changing from regular to associate [fol. 1760] membership. Associate Members do not have any voting rights in the organization. They are obligated to continue to supply local news of spontaneous origin to The Associated Press, but not exclusively.

It has never been practicable to deny admission to membership in The Associated Press to the purchaser of a member newspaper. No owner of a paper would have become a member of the organization if he had not been assured that he had the right to pass on to a purchaser of his paper mem-

bership in the organization upon which the paper depended for its report of the news. It has always been provided, however, that such a succeeding owner must subscribe to the by-laws, under which he may be suspended or expelled if he violates their provisions. The number at any given time of members who have become such through purchase or acquisition has always been small.

In my judgment a truly great cooperative news gathering organization, such as The Associated Press, cannot be maintained unless the members devote themselves to the work of producing the best news report possible. You cannot get members of such an organization to do that if, after they spend their time, effort and money to build up the cooperative, anyone can obtain the fruits of their labors for the mere asking and offering to pay a proportional share of the cost. The fact that a member's news and the news of all other members of the organization, as well as the news collected by the organization itself, are being exchanged for the mutual benefit only of the members is the prime factor inducing loyalty and cooperation, the two elements, without which, a cooperative organization cannot exist.

Based upon my experience of 50 years with press associations and as a newspaper man, it is my judgment that it is not possible to maintain an unbiased, complete and accurate news report unless there exists, to set the standard of such a report, a mutual cooperative nonprofit organization whose members, voluntarily joined together, control the operations of the organization. Only in this way can [fol. 1761] the bias of particular individuals or political parties be prevented from influencing the news. Experience both in this country and abroad has demonstrated this to be the fact.

A mutually cooperative nonprofit organization cannot maintain its existence over any substantial period of time without the power of discipline over its members. However great the loyalty of the vast majority of the members may be, in any organization of several hundred members it is inevitable that some will endeavor to seek personal advantage at the expense of the whole and unless the organization possesses the power to discipline, including the power to suspend and expel for violations of its rules, its disintegration will inevitably result. If admission to membership can be forced, discipline of recalcitrant members is impracticable.

The members of the Associated Press are scattered from the Atlantic to the Pacific, from Canada to the Gulf, and represent every possible shade of political belief, religious faith and economic sympathy. The Associated Press can have no partisan nor factual bias, no religious affiliation, no capital nor pro-labor trend, because no individual member or particular group of members can influence its report of the news.

During the thirty-eight years of my presidency of The Associated Press, I devoted a very large part of my time to its affairs. Innumerable questions of policy involving every phase of the operations of The Associated Press have been presented to the Board and to the officers of the corporation and, as the President, it fell to my lot to ascertain the facts and make the recommendations to the Board on every kind of problem confronting both The Associated Press as a news-gathering and disseminating agency and its newspaper members. I never sought election or reelection as its president. I was elected unanimously by the Board in 1900 and reelected annually until 1938, when I declined reelection.

[fol. 1762] From my personal observation and knowledge gained over forty-three years, the services of men who have been directors over a considerable period of years is far more valuable than would have been the case of men serving only one or two terms. The operations of a co-operative, world news-gathering agency are extremely complex. The problems of such an organization can be grasped and understood only after years of intimate study of the organization.

In my opinion, one of the chief means through which The Associated Press has achieved the position which it now enjoys has been the practice of its members to reelect directors for long periods of service.

Throughout the history of AP, the popular vote of members has coincided with the bondholder vote in every instance, except two. Since 1900 there have been over 225 directors elected. A total of 66 different individuals have been elected.

From time to time since 1900, voices have been raised denouncing The Associated Press in the same breath both as a monopoly and because it is not a monopoly, and insisting that it become a monopoly by admitting to its member-

ship all who desire the service, the theory advanced being that the activities of the Association impress it with a public use and subject it to the obligations of a common carrier to serve all comers.

To compel The Associated Press to serve all comers would, in my judgment, bring about a condition fraught with the gravest dangers to the freedom of the press and, in turn, to the freedom of the people. I do not say that throwing The Associated Press service open to all in and of itself would result in the abridgement of freedom of the press. I look, however, at the results of such a holding. If The Associated Press were compelled to serve all comers, the incentive for cooperation would no longer exist. It would drift into an organization for pecuniary profit in private ownership and subject to private control, or, because of its judicially fostered monopolistic status, it would [fol. 1763] come under government regulation and control. Here lies the danger to the freedom of the press. In my judgment, no more dangerous situation could be imagined than the passing of the control of the greatest news gathering and news disseminating agency of the world—a news agency which all acknowledge as the epitome of accuracy, completeness and impartiality—from the hands of cooperating newspapers to the control of individuals or the Government.

In 1900, there were in Washington two daily morning newspapers; the Post (1877) and the Times (1894); and two daily evening newspapers, the Evening Star (1852) and the Times (1895). The Post and the Evening Star were and now are members of The Associated Press.

In 1906, the Herald was established as a morning paper. It was consolidated with the Times into the Times-Herald in 1938 and thereupon became an all day paper. The Times-Herald is not a member of The Associated Press.

In 1921, an evening paper, the News, a non-AP paper utilizing United Press service, was established by the Scripps-Howard interests and continues as a United Press paper.

Of the Washington papers now in existence, the Post, Times-Herald (all day) and News subscribe to the United Press service. The Post and Times-Herald also are subscribers of International News Service.

The Evening Star has never consolidated or merged with or acquired any other newspaper. It is not a subscriber to the wire service of either United Press or International News Service.

For many years the country-wide trend in metropolitan areas has been toward fewer newspapers. This has been due to two factors, the first economic and the second the virtual disappearance of political affiliation in newspapers. Rising costs of publication of a metropolitan paper and concentration of advertising have forced out of existence many newspapers in almost every large city. Because of special conditions not duplicated elsewhere, this has not been true in Washington. It is no longer the general rule for a news- [fol. 1764] paper to be definitely aligned with a political party, with its news colored by such an affiliation. Due, I believe, in large measure to the standard set by the Associated Press, newspapers generally present unbiased reports of news and in consequence the public has not found it necessary to buy two or more papers in order to sift bias from fact.

In my opinion, the value of an Associated Press membership in Washington at the present time is in excess of ten per cent of the total assessments paid by member newspapers. The value alone of a proportionate share of the assets, tangible and intangible, of the Associated Press which a new member in Washington would acquire would be at least equal to the ten per cent of assessments which has been paid since 1900 by members in the field of the new member.

On March 19, 1942, an FBI agent called at my office in the Star Building in Washington and stated that he had been sent by the Anti-Trust Division of the Department of Justice to see a representative of the Star. He asked me several questions concerning the organization and by-laws of the Associated Press. I told him that information of that kind had already been supplied in great detail to the Attorney General and Thurman Arnold. He then asked whether I had received any communication soliciting my vote against the election of Marshall Field and Mrs. Eleanor Patterson as members of the Associated Press. I told him that I had not received any such communication but had been solicited by both Field and Mrs. Patterson to vote in favor of their election. The FBI agent did not pursue the questioning further and left my office.

The Government's allegation that the news reports of The Associated Press, by reputation and in fact, are complete, accurate and unbiased, that these qualities have been attained by reason of the character of the organization developed over a period of more than forty years is, I believe, strictly accurate. Without the provisions of the by-laws as to admission to membership and local news, The Associated Press could not have become the bearer of the [fol. 1765] standard which it now is. Nor could it have done so had it been the only domestic news agency in the United States. Throughout the years, competing news agencies, especially the United Press and International News Service, and news gathering organizations such as the New York Times, New York Herald Tribune, Chicago Tribune and Chicago Daily News have frequently set the pace of competitive activities which has resulted in requiring The Associated Press to improve and expand its services to its members.

I am perhaps inordinately proud of The Associated Press and of my connection with it. Not of my personal contribution to its success, but to the extraordinary degree, through its working staff, with which it has met the hopes and aspirations of its founders.

I am proud that its standards have so impressed its commercial competitors that American newspapers, whether or not they have been or are members of The Associated Press, are immensely improved in their content as respects truth and unbiased news reports. I believe that this has brought a profound beneficial result to the citizenry of our country and that The Associated Press deserves the reputation that it now has.

For my own contribution to its success I am also proud, though I am only too well aware that its importance has been much over-estimated by the members of the organization and of the Board of Directors throughout many years. But earned or not, it is the great pride of my life that my associates think that I contributed to the success of The Associated Press and the beneficial influence which it has exercised upon the American press.

/s/ Frank B. Noyes.

Sworn to before me this 8th day of June, 1943. N. M. Raymond, Notary Public, D. C. (Seal.)

[fol. 1766] AFFIDAVIT OF ROBERT McLEAN

STATE OF NEW YORK,
County of New York, ss:

ROBERT McLEAN, being duly sworn, deposes and says:

I am now and have been since 1938 president of The Associated Press. I have been a director and member of the Executive Committee since 1924. I am the president of Bulletin Company, the publishers of the Philadelphia Evening Bulletin, a member of The Associated Press.

I have read the answer of The Associated Press and the individually named defendants (other than Tribune Company and Robert Rutherford McCormick) to the complaint in this action and adopt the answer as part of this affidavit which is sworn to by me. I have verified the answers of the same defendants to the interrogatories addressed by the plaintiff to them and the responses of the same defendants to the requests for admissions by the plaintiff. I do not, therefore, in this affidavit repeat the matters contained therein.

Since my election to the Board of Directors of The Associated Press in 1924 I have attended all annual meetings of the membership except one and all meetings of the Board of Directors and Executive Committee except two. I have studied the history of The Associated Press and since my election as president in 1938 I have been continually in touch with its affairs.

The purpose of the founders of The Associated Press was to create a mutually cooperative organization controlled by the members for the production of a news report of the highest standard, which they believed to be possible only through the control of their organization by a membership composed of men of every point of view on all matters of general interest. The history of The Associated Press since 1900 demonstrates that their belief was founded on fact.

[fol. 1767] Under the by-laws newspapers elected to membership are entitled to certain rights and privileges including the use of the news report and participation in the affairs of the organization. In turn, newspapers elected to membership agree to assume certain duties and obligations. The assumption of such duties and obligations is an integral part of the plan of cooperative action. Each mem-

ber must assume responsibility on behalf of himself and his employees in the use of the news report. A member may not, nor may his employee, distort the news report or make an improper use of it to the prejudice of The Associated Press or his fellow members. These duties and obligations assumed by a member are not only for his own protection, but for the protection of every other member and of The Associated Press itself.

To assure the performance of their duties and obligations by members and to protect the quality and character of the news report and the good will attaching to the name Associated Press, it is essential that the organization through its duly authorized representatives shall have the power of discipline. Without such power, including when necessary suspension or expulsion of a member, the maintenance of the high standard of the news report is impossible. In any organization which is compelled to admit all applicants the power to discipline necessarily dissolves, and where the public interest is involved, public regulation becomes inevitable.

The standard of news reporting which has been set by The Associated Press in this country, and which the plaintiff recognizes as being of the highest, has had a world-wide effect. The assurance of the maintenance of the present standard of The Associated Press news reports depends upon the continued existence of The Associated Press as a cooperative enterprise the affairs of which, in connection with the maintenance of that standard, including admis-
[fol. 1768] sion to membership, are within the control of its members free from external pressures whether political or otherwise. So also does its ability to compete successfully with commercial news agencies.

Robert McLean.

Sworn to before me this 21 day of June, 1943. Pearl E. Loeber, Notary Public. (Seal.)

[fol. 1769] AFFIDAVIT OF KENT COOPER

STATE OF NEW YORK,
County of New York, ss:

KENT COOPER, being duly sworn, deposes and says:

I am the Executive Director and the General Manager of the defendant in the above-entitled action, The Associ-

ated Press, and make this affidavit in opposition to the motion of the plaintiff for summary judgment.

I have been connected with newspapers and news agencies since I was a student at Indiana University in 1898. From 1901 to 1903 I was a reporter on Indianapolis papers. From 1903 to 1905 I was Indiana Manager for the Scripps-McRae Press Assocation. In 1905 I organized the United Press News Association in Indiana and was its Vice President and General Manager until I sold its stock in 1906 to the Scripps-McRae Press Association. In 1907 the United Press Associations of New York was organized and I became its Indiana representative. From 1908 to 1910 I sold its news service through the country.

In December 1910 I went with AP and since that time have occupied the following positions with AP: 1910, Traveling Inspector; 1912, Chief of Traffic Department; 1920-1925, Assistant General Manager; 1925-1943, General Manager; and since April 1943 I have been the Executive Director, as well as the General Manager, of AP.

I have no financial or other interest in any newspaper. I am not connected with any social, political, charitable or educational organization, except that I am a member of the Advisory Board of the School of Journalism of Columbia University. The past thirty-three years of my life have been devoted exclusively to AP.

For almost thirty-five years I have been in continuous contact with newspapers throughout the United States, their owners, editors, reporters and correspondents. I have also been in continuous contact during that same period with the news agencies of the United States and of the world. I have watched the development of news agen- [fol. 1770] cies throughout the world for more than a quarter of a century and have been familiar during that period with their methods of operation, their news reports, their relationships to newspapers and their relationships to foreign governments.

I have also watched the development during that period in this country of AP, United Press, International News Service, the many other news agencies in this country and the Canadian Press in the Dominion of Canada.

In every country of the world outside of the United States and Canada the one general national news agency serving all newspapers has been an agency organized and operated for the profit of its owners, who in many instances

have not been newspaper proprietors. The news reports of practically all such agencies often have been colored by political policies of governments and in the case of most, if not all, of the foreign news agencies, subsidies have been supplied, directly or indirectly, by the government.

The Canadian Press was originally, and continues so to be, organized as a counterpart in the Dominion of Canada of AP. Before its organization in 1906 many Canadian papers received the news reports of AP through the telegraphic system of the Canadian Pacific Railway Company which before 1906 had exclusive control of the wire transmission of news reports in Canada. In 1906 Canadian newspapers united in organizing a nonprofit, cooperative effort along the lines of AP in this country. Later this became the present Canadian Press, and from that time on it has been affiliated with AP in the collection and distribution of news between the two countries. The full daily AP news report is made available to the Canadian Press at New York and Seattle simultaneously with its being made available to American newspapers; similarly, the full daily Canadian Press news report is made available to AP at New York and Seattle simultaneously with its being made available to Canadian newspapers. In substance the operations of the AP and Canadian Press cooperative news agencies are supplemental.

[fol. 1771] Including the Canadian Press as a supplemental cooperative agency, AP is unique among all of the great news agencies of the world in that it is, and always has been, a nonprofit cooperative association of newspaper proprietors organized for their mutual benefit for the collection and exchange of news between themselves. It is, and always has been, an enterprise devoted to the maintenance of a complete, accurate and unbiased report of the news. Unlike news agencies everywhere else in the world, it has never been subsidized, directly or indirectly, by government or otherwise.

The achievement and maintenance of the high standard of its report of events throughout the world have been accomplished because the ultimate control of its news reports has been vested in the newspaper membership representing a cross-section of opinion—economic, political and religious—on all issues of general interest, and because the membership has had the power, invoked when necessary, to

take disciplinary action against any member for any coloring or other perversion of its news report.

The completeness, accuracy and lack of bias of the news reports of practically all of the news agencies existing in the United States today is primarily due to the standards of news reporting first set by AP.

I have personally participated in the operations and development of AP since 1910; every major development within the organization during that period has been possible of achievement because it has always been a cooperative enterprise controlled by its members. The reason why it stands today in the "forefront" of news agencies is that its members, year after year, have contributed time, effort and money beyond their obligations as members. Whether the motive has been selfish personal interest or zeal for the public welfare, the fact is undeniable that the "all for one and one for all" principle which has animated and guided the members has resulted in the maintenance of the highest standards of news reporting.

[fol. 1772] Under the bylaws of AP the General Manager has responsibility for, and is in direct control, subject to the Board of Directors and ultimately to the members, of the AP news reports. At no time throughout that period have the news reports of AP been colored or influenced in any way by any director or other member of AP.

There are within my personal knowledge hundreds of instances in which the officers, directors and members of AP have gone far beyond their obligations under the bylaws to enable the staff and the membership generally to improve the quality and coverage of the news reports of the organization. The members, with rare exceptions, do not deal with the staff at arm's length. They deal with each other and with the staff as members of a family cemented by a bond of common interest and not as strangers bound only by the terms of a contract.

I have read the answer of AP to the complaint and call particular attention to Paragraphs 9, 10 and 12-16, inclusive, of the answer which read as follows:

> "9. The comprehensiveness of the news coverage by AP is dependent upon the cooperation of all its members in furnishing all the news of interest in their particular localities, and their willingness to

expend time, effort and money to create and maintain an organization capable of gathering and distributing all news of importance with the greatest speed compatible with accuracy. The impartial and unbiased character of the news furnished to AP by its members and to the members by AP is assured by the fact that the membership represents a cross section of opinion on all issues of general interest, and by the fact that the membership has the power not only to control their cooperative enterprise but also to invoke disciplinary action against any member who departs from the standard of integrity in the reporting and publishing of AP news.

[fol. 1773] "10. The basic reason why AP, in the language of the complaint (par. 66), 'ranks in the forefront in public reputation and esteem' is that 'the character of the organization of The Associated Press —a membership corporation composed of persons representing every shade of economic, political, and religious opinion and every section of the country—is an invaluable guarantee that the promise and claim made by each news-agency—that it presents the news without any political or sectional bias—will in fact be fulfilled.' The good will which AP now enjoys results, again in the language of the complaint (par. 66), 'from the fact that in the mind of the general public the name "Associated Press" has long been regarded as synonymous with the highest standards of accurate, non-partisan, and comprehensive news-reporting.' If the members of AP were deprived of the right to choose their associates in the cooperative enterprise, the distinctive character of the organization would be destroyed and the assurance of an impartial and unbiased news report would no longer exist.

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"12. News is a report of the happening of an event. The source of news lies in the event itself. Access to the source of news is open to all who are willing to expend time, effort and money. News is, therefore, a product which has been created by initiative and enterprise and belongs to the producer. Its value is in direct proportion to its reliability and its newness.

"13. If the news gathered through the cooperative facilities of AP and its members were required to be made available to every one, whether a member or not, the incentive of each member to contribute his time, effort and money to the upbuilding of an organization [fol. 1774] for the mutual benefit of himself and of others making a like contribution would disappear. No matter how great the contribution of the member had been, or over how long a period it had been made, he would enjoy no competitive advantage over others who had not thus ventured their time and resources. Under such circumstances, the loyalty so essential to the efficient and successful operation of a mutual enterprise could not survive. Instead of going beyond the letter of his obligation in order to maintain a superior service from which he hoped to derive his share of the benefit, each member would appraise his relationship to AP solely in the light of the immediate return to him. He would thereupon become merely a buyer and seller of news, and cooperation in a mutual enterprise would be replaced by arm's length bargaining. AP would become merely another commercial news agency.

"14. The requirement of AP's bylaws that a newspaper published in the same locality served by an existing member may be elected to membership in AP only by vote of the membership is, in effect, merely a corollary of the requirement for the exclusive interchange of news between members through the agency of AP, and is in complete harmony with the theory and practice of a truly cooperative enterprise. The addition of another member in a territory already served by an AP member does not increase the area or materially augment the scope of AP's news coverage, nor does it increase AP's revenues. If any one, merely by payment of a proportionate share of the cost of gathering and distributing the news, were automatically entitled to membership in AP, the members would cease to have any proprietary interest in the organization created and maintained through their mutual efforts. Through their continued loyalty to the enterprise, the members [fol. 1775] have created something of value to each, the benefits of which others should not be able to ap-

propriate without making a commensurate contribution to the mutual cooperative undertaking. Automatic admission to membership, without a commensurate contribution and without the assent of a reasonable proportion of the members, would destroy the cooperative character of the enterprise.

"15. The continuance of AP as a mutual cooperative enterprise enlisting the loyalty and proprietary interest of its members is of far greater importance to local newspapers in small communities than it is to large metropolitan newspapers. One reason for this is that local newspapers in small communities must place greater reliance upon a news agency for adequate news coverage; another reason is that such newspapers usually lack the financial resources with which to compete against a newspaper which is launched by a powerful individual or group of individuals for the particular purpose of accomplishing some selfish end.

"16. However serious to each individual member the loss of his proprietary interest in AP and such resulting competitive advantage as he may enjoy, the loss to the public would be incomparably greater. The destruction of the cooperative principle in news gathering and distribution would place these functions, so vital to the national welfare, once again exclusively in commercial channels. The standard of an impartial and unbiased reporting of the news which has been achieved by the operation of AP under the control of its members, could not survive the transition of such members to the role of mere customers purchasing news on a price basis."

It is my judgment, based upon my thirty-three years of experience with AP, that the allegations of fact contained in the above paragraphs are true and that the allegations [fol. 1776] of consequences which would result from the granting of the plaintiff's demand for judgment in this case are also true.

AP Wirephoto Service

It was not until 1928 that AP undertook to provide any picture service to its members. This service was instituted

at my instigation. Even before 1928 I had become interested in the transmission of pictures by wire which was then experimented with by the American Telephone and Telegraph Company.

For several years before 1934 the American Telephone and Telegraph Company had provided a toll service for the transmission of pictures over its wire. This service was available to anyone who wished to transmit pictures in that manner. It was costly and few pictures were so transmitted. In 1934, because of the small volume of business, the American Telephone and Telegraph Company determined to discontinue this picture transmission business and by the end of that year had completely done so. During 1934 it endeavored to sell its apparatus and patents for the transmission of pictures by wire and offered them for sale to the various news agencies and news picture agencies, as well as to others. As a result of my study of the whole subject I believed that the improvements which had been developed in the laboratories of the American Telephone and Telegraph Company and the probability of further improvements made if advisable for AP to acquire the apparatus and patents and to establish its own laboratory for further research.

Accordingly, I interested the proprietors of some of the larger metropolitan newspapers who were AP members in the potential value of the transmission of news pictures by wire and finally succeeded in having thirty-nine such AP members underwrite the cost of acquiring the apparatus and patents at a cost of approximately $400,000. In addition to this initial cost, the thirty-nine subscribing members agreed to pay an aggregate annual special assessment of approxi- [fol. 1777] mately $900,000 for a period of five years for Wirephoto Service. The highest weekly newspaper assessment was $2,884.61, payable weekly for the period of five years.

The contracts between the subscribing members and AP provided that other AP members in the same field could also become subscribers to the Wirephoto Service at any time, in which event assessments were to be reduced proportionately and, in addition, the late-comers in the same field agreed to pay a proportion of the expense theretofore borne by the original subscriber in that field. These contracts were en-

tered into pursuant to a resolution of the Board of Directors of AP, the pertinent provisions of which were as follows:

"1. Any member may contract for the service prior to its inauguration and, if the equipment therefor is already installed in his city, shall receive service upon its inauguration; if the equipment therefor is not then installed in such city such contracting member shall receive service as soon as the equipment therefor can be installed.

"2. After the inauguration of the service, in the event of any member or members being the sole subscribers in a given city, another member in that city who may desire to participate in the Wirephoto Service shall give the Secretary of The Associated Press written notice of his intention to subscribe and shall thereupon make contract therefor upon the equitable basis of assessment and the contract terms specified by the Board of Directors.

"3. Service under a contract made subsequent to such inauguration shall not be furnished until a period of time has elapsed, not exceeding three (3) months, equal to the period of time between the inauguration of service to the prior participants in such city and the date of the receipt of the signed contracts from a sub- [fol. 1778] sequent subscriber, such contract being similar in terms to those signed by the other members in such city receiving such service.

"4. Any member who begins the Wirephoto Service in conformity with paragraphs 2 and 3 will be required to pay to The Associated Press a proportionate and equitable part of the extra cost incurred by such original participating member or members in having borne the local element of the assessment for Wirephoto Service for such city prior to the time such member subsequently contracts for such service, the amount of said payment to be determined by the Board of Directors, who will then reimburse the original participating member or members in such city accordingly.

In arriving at the amount of such payment the Board of Directors will give consideration to the length of time the original participating member or members

have borne the entire cost of Wirephoto Service in such city."

I cite the foregoing facts concerning the origin of the wire transmission of pictures by AP because it is a particularly striking instance of the cooperative character of the organization. Despite the fact that only thirty-nine of the 1200 odd AP members had financed, at their own individual risk and expense, the original undertaking, they agreed that Wirephoto Service should be made available to all members.

From its inception, the apparatus and patents for Wirephoto for which the thirty-nine underwriters paid more than $400,000, were AP property. In 1939 the equalization fee provided for in Paragraph 4 above was rescinded and the entire Wirephoto Service has been completely available, merely by payment of moderate weekly assessments to every member of AP.

[fol. 1779] AP Purchase of Wide World

In the spring and early summer of 1941, I negotiated with Mr. Arthur Sulzberger, the publisher of The New York Times, for the purchase by AP of World Wide Photos, Inc., a wholly owned subsidiary of The New York Times. I had been authorized by the Board of Directors of AP to conduct the negotiations.

Wide World had been engaged for a number of years in the business of furnishing pictures for The New York Times and distributing such pictures as a salvage operation to newspapers which were not directly competitive with The New York Times. The operations of Wide World had been conducted at a substantial loss to The New York Times for a considerable period. I was aware of this fact and also of the fact that The New York Times desired to dispose of its investment in the enterprise.

From the point of view of AP, it was my belief, which I communicated to the Board of Directors, that the picture service of AP should be improved by building up a distinct feature picture service which would emphasize quality and the background of the news as distingnished from spot news pictures. AP had not included pictures in the service rendered its members until some time after other news agencies and their affiliated organizations had been engaged in ren-

dering such service. In consequence AP did not have a large collection or "morgue" of background pictures. Many members of AP called my attention to the fact that the background picture service of AP was not comparable to that furnished by several other picture services. It was essential that it have access to such a morgue in order to render a complete picture service to its members.

I knew that Wide World had an excellent morgue of pictures totaling more than 1,000,000 in number and that the character of the Wide World morgue was such as would [fol. 1780] overcome the deficiency of the AP service in supplying its members with quality and background pictures. My primary purpose, therefore, in negotiating with The New York Times for the purchase of Wide World was to give AP the basis for establishing and furnishing a quality feature picture service associate to that of its spot news pictures. Except by the purchase of an existing morgue this could be done only over a long period of years and at an expense greatly in excess of the amount for which AP ultimately purchased Wide World. Again, through the purchase of Wide World as a going concern there would be made immediately available to AP the trained personnel of photographers employed by Wide World who, if that organization had discontinued its operations before arrangements were concluded with AP, would have been scattered. I had in mind, too, that it would be advantageous to AP to have The New York Times become a subscriber to the AP Wirephoto Service.

In the course of my negotiations with Mr. Sulzberger, he informed me that it was the intention of The New York Times to discontinue the operation of Wide World, but that if AP desired to purchase the Company, The New York Times would be willing to sell it to AP, of which The Times was a member, but that it would not sell Wide World to anyone else.

In my first negotiations with Mr. Sulzberger, I proposed that AP purchase the assets of Wide World. Subsequently, I was informed by him that the transaction could not be consummated on that basis because of certain tax problems of The Times. It was only then that negotiations for the purchase of the stock of Wide World were initiated.

It is not true, as alleged in Paragraph 108 of the complaint, that AP discontinued or caused Wide World to dis-

continue the news picture service of Wide World to non-members of AP. The fact is that the Wide World mat service was discontinued both to AP members and to cus-[fol. 1781] tomers of Wide World who were not AP members because it was ascertained, after a period of several months of operation, that the mat service could not be carried on except at a substantial loss. I am informed that this had also been true when Wide World was owned by The New York Times.

Fixed Assets,
Good Will, Etc. of AP

As General Manager of AP for a long period of years I have participated in the acquisition of its fixed assets and am generally familiar with such assets, their cost and their replacement value. It has been the practice of AP for many years to list its fixed assets on its balance sheet at the nominal value of $1. The replacement value of these assets at this time is in my opinion as follows:

Furniture, fixtures, typewriters and other office equipment	$400,000.00
Newsphoto equipment (cameras, lenses enlargers, dark-room equipment and supplies)	80,000.00
Teletype equipment (receiving and transmitting sets, tools and parts)	2,315,000.00
Wirephoto equipment (receivers, transmitters, portable transmitters, parts, tubes and special equipment)	536,000.00
Leasehold improvements	140,000.00
Total current replacement value of fixed assets	$3,471,000.00

Annexed hereto and marked "Exhibit 1" is a statement showing the details of payment made by members of AP in [fol. 1782] the period from 1918 through April 30, 1943, in the total amount of $7,562,693.66 for the following purposes:

Contributions to Employees' Benefit Plan	$5,304,571.27
Disability payments	96,318.43
Payments to extra employees, account vacations	306,844.27
Contributory insurance and pension plans	536,112.71
Social Security	1,318,846.98
Total	$7,562,693.66

These figures did not include the following additional amounts contributed by AP members through assessments:

1902-1918 assessments increased weekly by 5% of pay roll for inactive allowances and vacations, approximately	$2,400,000.00
1918-1942 amount paid to employees not eligible for pensions, approximately	2,100,000.00

It has not been customary to include in the AP balance sheet among its assets the item of good will. In my opinion a conservative estimate of the value of the good will of AP at the present time is $12,000,000.00.

Under the provisions of subdivision (a) of Section 2 of Article III of the bylaws of AP providing for the 10% payment, the amount of such payment in the morning field in Chicago as of June 30, 1943, would be $348,044.78. Under the provisions of the final paragraph of Section 2 of Article III, the percentage of such sum refunded to The Chicago Tribune would be 51.72% or $193,930.55 and the percentage [fol. 1783] refunded to The Chicago Herald-American would be 44.28% or $154,114.23.

The regular weekly AP assessment which would be payable by each morning member in the morning field in Chicago if there were three members in that field instead of two as at present would be approximately $722.25. If the third member also subscribed to Wirephoto Service, the added weekly assessment therefor would be $277.50. The total regular and Wirephoto assessments would thus amount to approximately $1,000 per week.

There is not now, nor has there ever been, any AP bylaw or regulation prohibiting or precluding members of AP

from furnishing photographs to anyone, including Acme Newsphotos, International Newsphotos or any other picture agency, or to any newspaper, whether or not an AP member.

Kent Cooper.

Sworn to before me this 18th day of June, 1943.
Michael F. Moran, Notary Public. (Seal.)

EXHIBIT 1

ear	Total	AP Contributions to Employes Benefit Plan	AP Disability Payments	AP Payments to Extra Employes on Account of Vacations	AP Contributory Insurance and Pension Plans	Social Security Assessments
918	100,600.00	100,000.00				
19	41,107.44	41,107.44				
20	58,003.63	58,003.63				
21	43,897.36	43,897.36				
22	55,615.08	55,615.08				
23	148,520.84	148,520.84				
24	175,085.40	175,085.40				
25	213,033.57	213,033.57				
26	131,237.38	131,237.38	See	See	See	See
27	580,811.93	580,811.93	Note 1	Note 2	Note 3	Note 4
28	538,106.90	538,106.90				
29	416,757.98	416,757.98				
30	268,616.08	268,616.08				
31	719,076.15	719,076.15				
32	254,000.00	254,000.00				
33	68,200.00	68,200.00				
34	193,739.41	193,739.41				
35	240,248.79	240,248.79				
36	311,450.65	250,142.55				61,308.10
37	557,358.31	427,106.68				130,251.63
38	628,047.79	357,361.57	3,576.98	42,814.68		224,294.56
39	413,996.51	997.30	13,744.65	49,037.89	126,561.48	223,655.19
40	438,152.88	9,506.23	20,391.71	51,903.28	132,563.11	223,788.55
41	409,906.30	.....	21,453.21	54,627.05	124,221.08	209,604.96
42	405,026.15	13,399.00	25,296.46	80,461.37	113,906.19	171,963.13
	7,409,996.53	5,304,571.27	84,463.01	278,844.27	497,251.86	1,244,866.12
43	152,697.13	.....	11,855.42	28,000.00	38,860.85	73,980.86
	7,562,693.66	5,304,571.27	96,318.43	306,844.27	536,112.71	1,318,846.98

* Covers the first four months of the year.

NOTE 1—For the years 1919 to 1937, inclusive, disability payments were made from e Employes Benefit Plan. Beginning in 1938, disability benefit payments were made rect by The Associated Press without going through the benefit plan.

NOTE 2—Prior to 1928, our records do not indicate the amounts paid to extra employes cause of vacations. From 1928 to 1937, inclusive, vacation payments were made from e Employes Benefit Fund, and subsequent to 1937 were made by The Associated Press rectly to the employes.

NOTE 3—The contributory insurance and pension plans started January 1, 1939. Inded in the amount for 1942 is $2,866.18 for premiums on National Service Life Insurce, and for the four months of 1943 premiums for the same insurance, included in the ove figure, totaled $2,537.65.

NOTE 4—The Social Security assessment figures above are net, after refunds to mems. In 1941, refunds were $13,479.24 and in 1942, they totaled $50,182.99.

[fol. 1785] AFFIDAVIT OF A. S. VAN BENTHUYSEN

STATE OF NEW YORK,
County of New York, ss:

A. S. VAN BENTHUYSEN, being first duly sworn on oath, deposes and says:

1. I am a newspaper consultant. For the past twenty-five years I have been closely identified with the newspaper business as an officer, executive, and director of companies engaged in the publishing of newspapers and as a consultant with reference to the organization, management, operation, valuation and liquidation of newspapers. The following is a description of my activities in the newspaper field.

(a) In 1918 at the request of the trustees of the estate of Joseph Pulitzer, made an exhaustive examination of Press Publishing Company, publisher of the New York World newspapers, and of its various subsidiaries; at the conclusion of this examination I remained to modernize and systematize the various operations of those newspapers, assuming charge of all accounting, tax, and similar departments. About 1922 was elected assistant treasurer of Press Publishing Company (subsequently becoming treasurer,) and one of the three non-family directors; took over control of all financial matters, bank relations, investments, etc. When the intangible assets of the Press Publishing Company were sold to the Scripps-Howard organization in 1931, I worked with the attorneys in the preparation of the case for court; upon suspension of publication of the Press Publishing Company newspapers, was placed in complete charge of the liquidation of the affairs thereof.

In the course of work for Press Publishing Company I was closely associated with the Pulitzer family in the administration of their various interests including the St. Louis Post Dispatch. I made an exhaustive examination and analysis of the operations of the last mentioned newspaper in 1927. My work during this em-
[fol. 1786] ployment involved every phase of newspaper operations: Editorial, advertising, circulation, mechanical, financial and promotion.

(b) Served on a number of committees of the Publishers Association of New York, and assisted in the organization of North American Newspaper Alliance. Actively engaged in the negotiations whereby International Paper Company acquired pulp and paper timberland and coal mining properties, and acted as general manager of such properties for over a year.

(c) Retained as an expert in the valuation of many newspaper properties. In connection with the acquisition of the Kansas City Star and the Kansas City Times by the executives of those newspapers from the Nelson Estate, suggested the method of determining value which was fixed at approximately $11,000,000. I was retained by the New York Times to value that property and the Chattanooga Times in connection with the estate tax on the estate of Adolph S. Ochs, such value being finally determined at $22,639,674. Other newspaper properties which I have valued for various purposes, include:

Binghamton (N. Y.) Press
Perth Amboy (N. J.) News
Fall River (Mass.) Herald News
St. Augustine (Fla.) Record
Montgomery (Ala.) Advertiser
Birmingham (Ala.) News
Saratoga (N. Y.) Saratogian
New Britain (Conn.) Herald
Norristown (Pa.) Times-Herald
White Plains (N. Y.) Reporter
Danbury (Conn.) News-Times
Seven of the Macy chain of newspapers in Westchester County, N. Y.
Syracuse (N. Y.) Post Standard
[fol. 1787] Chester (Pa.) Times
Boston (Mass.) Transcript
New York (N. Y.) Post
Hazelton (Pa.) Standard Sentinel and Plain Speaker
Burlington (Ia.) Hawkeye Gazette
Long Island City (N. Y.) Star
New London (Conn.) Day
Bradford (Pa.) newspapers
Bridgeport (Conn.) Times Star
Vineland (N. J.) Journal.

(d) Liquidated, in addition to the New York World properties, the Bridgeport, Conn., Times Star upon the sale of its intangible assets to the competing Bridgeport Post and Bridgeport Telegram. Also the Vineland, N. J., Journal upon the sale of its intangible assets to the Vineland Times.

(e) Expert witness in numerous matters including representing the Bureau of Internal Revenue in cases involving the Philadelphia Inquirer, the Philadelphia Public Ledger and the Los Angeles Times; representing the Wisconsin Tax Commission in the preparation of case concerning the valuation of the Milwaukee Journal; representing stockholders in stockholders suits involving the Clarksburg, West Virginia, Exponent and the Clarksburg Telegram, the Daytona Beach, Florida, News and the Daytona Beach, Florida, Journal and the New York newspaper PM.

(f) Author of "Newspaper Organization and Accounting", and of numerous articles appearing in Editor and Publisher, the Controller and other periodicals.

2. I have read the complaint filed by the plaintiff in this case and have had submitted to me, and have read, the affidavits of Marshall Field and John J. Padulo. I have [fol. 1788] read Article III Section 2(a) of the by-laws of The Associated Press (hereinafter referred to as "AP") and am informed by AP that application of such by-law provisions will require an applicant for membership to pay thereunder the following sums in the cities and fields specified:

Morning Papers

New York	$824,333.82
Chicago	334,250.46
Detroit	152,789.68
Los Angeles	228,126.81
St. Louis	182,323.41
Washington	118,930.08
Baltimore	169,163.78
Boston	253,680.16
Cleveland	144,865.63
Philadelphia	286,719.35
Pittsburgh	188,598.87

Afternoon Papers

New York	$575,003.49
Chicago	342,310.35
Detroit	154,606.86
Los Angeles	134,709.80
St. Louis	186,882.23
Washington	88,293.20
Baltimore	148,658.13
Boston	218,917.92
Cleveland	131,474.18
Philadelphia	288,115.26
Pittsburgh	147,606.41

I am also familiar with the manner in which the Board of Directors of AP make the assessments against its members and with those by-laws of AP which require members to furnish to AP the news of each member's district. I have [fol. 1789] seen the balance sheet as of December 31, 1942 of AP and supporting financial statements as set forth in the AP 1942 Yearbook.

3. In any determination of the value of an AP membership in any locality it is obviously essential to determine the value of the assets of AP. In this connection the complaint contains the statement that AP members by the receipt of AP news have received "full and commensurate return for such contribution as they have made to it (by furnishing local news or by payment of annual assessments)". This statement is erroneous for two reasons:

(a) It is apparent that AP members have paid far more in the form of assessments than the actual cost of gathering and distributing the news. AP, according to the above mentioned balance sheet, has total current assets of $2,972,807.42, not including investment in or advances to subsidiaries of $516,774.69. Such balance sheet shows that AP carries the value of its fixed assets including teletypes, wire photo equipment, furniture and other items at $1.00. Such assets manifestly have great value. Exhibit D attached to the balance sheet shows the existence of an employee's benefit fund with a balance on December 31, 1942, of $4,446,738.59. I have also been informed that AP has for a great num-

ber of years paid benefits in substantial amounts to its ex-employees. All of these assets have in the main resulted from assessments made against members and it is clear that to such extent the assessments have exceeded the cost of gathering and distributing the news.

(b) It ignores AP's intangible values. An organization such as AP with the assets disclosed by its balance sheet, with its comprehensive news coverage and reputation for news of the highest integrity as described in the complaint, all built up over the extended period of 42 years, has a tremendous intangible [fol. 1790] value based upon sound and accepted accounting principles. These values are in part the result of the assessments paid by the members and used in development, experimentation and in the obtaining and training of correspondents and other employees. They are in part the result of the expense, effort and enterprise of the members in furnishing to AP the local news of their districts. They are in part, and in great part, the result of each member's creation of reader acceptance and good will for AP news reports in the particular localities wherein such newspapers are published. It is significant that substantially all of the members of AP located in the large cities of the country, and many, if not most, of those located in the smaller communities, were charter members of AP or became members shortly after its organization. The constant use of AP news reports with credits to AP by such members over such extended periods of time have created great values for AP in the communities wherein such newspapers are published, and, in combination, throughout the entire United States. The large sums of money which metropolitan newspapers pay for circulation, promotion and advertising inures to some extent to the benefit of AP and increases its intangible values. Such values are great despite the fact that they decreased because of the existence and growth of active and strong competitors, particularly United Press Associations and International News Service.

4. In many instances the cost of buying news service from news agencies other than AP exceeds the amount of assessments which an AP member is required to pay.

5. It is an exceedingly difficult problem to determine the value of an AP membership. I have participated, primarily as a valuation expert, in the sales of many newspapers which have been sold in the last twenty years. I [fol. 1791] know of no occasion when an AP membership was sold alone and not in conjunction with various other assets. In such sales the prices paid depended upon many diverse factors: The extent of the assets and their type and quality; the circumstances under which the sales were effected, whether a forced sale, a merger, etc. Some of such sales were made in my judgment at prices in excess of the value of the properties and others brought less than their values. For example, I know of the sale of one newspaper in Chicago, which included an AP membership, at a sum in excess of $1,000,000, but in contrast I know of another sale in Chicago, including an AP membership, at approximately $25,000. For these reasons, sales prices of newspaper properties would not be a sound measure of the value of an AP membership to an applicant who is purchasing such membership without other asset and who is able and willing to pay the fair value thereof.

6. No precise and all-inclusive method of evaluating an AP membership can be set forth which would uniformly result in an accurate determination of the amount which an applicant should pay to existing members to AP publishing newspapers in the field from which the application is received. This is obviously the fact due to differing circumstances in different localities, fields and times. A sound appraisal would, however, include the following steps:

(a) The value of the assets of AP, tangible and intangible, would be ascertained together with the contributions thereto of the existing members in the particular field. Upon the basis of this information, the equity in such assets acquired by the applicant and the loss sustained by the existing members could be determined.

(b) The value of the savings realized by the applicant in obtaining AP service at cost would be computed. This is a sound measure of value recognized by economists and accountants and frequently used in similar appraisal situations.

[fol. 1792] (c) The cost to the existing members of compensating for the loss of exclusive or partially exclusive AP news to a competitor would likewise be computed. The value of the service of any particular news agency to a newspaper depends in large measure upon its exclusiveness. The furnishing of any news service to the competitor of an existing user of the service imposes damage upon the latter which it will normally endeavor to avoid by subscribing to another news service or by other means. The cost of such compensatory measures must be given consideration.

7. Based upon a study of the financial statements of AP and my experience in and knowledge of the newspaper business, Article III Section 2(a) of the AP by-laws in my opinion provides a formula for the determination of the value of AP memberships which will in most cases result at the present time in a substantially less value than would result from the use of sound and accepted appraisal methods. I have particularly studied the application of the formula set forth in the by-laws in the eleven large cities in the country resulting in the valuations set forth above in paragraph 2. It is my judgment that in each instance the valuation reached by application of the 10% formula is much less than actual value.

8. I am informed that the sum which the Chicago Tribune has paid to The Associated Press since 1900, is approximately $1,735,000, and that the sum which the Chicago Tribune would receive if the Chicago Sun were admitted to membership as of June 30, 1943, is $193,930.55. In my judgment the amount so required is far less than the value of an AP membership in the morning field in Chicago and is inadequate to compensate the Chicago Tribune for its loss of exclusive Associated Press news service.

According to the affidavits of Messrs. Field and Padulo, The Chicago Sun through AP membership would have [fol. 1793] saved in the year 1942 alone almost enough money to have paid the sum required of an applicant under the AP by-laws. In my opinion the affidavits of Messrs. Field and Padulo are erroneous in this respect. Most of the prominent papers throughout the country maintain and own Washington bureaus; maintain their own correspond-

ents at various points and particularly throughout the region wherein their newspaper circulates; buy photographs and articles in addition to those which they receive through the news agencies, and have their own foreign offices and pay all telephone and cable charges. I believe, therefore, that if Messrs. Field and Padulo plan to publish a metropolitan newspaper, they greatly overestimate the savings which would be realized through the Chicago Sun becoming an AP member. The Chicago Sun, however, would realize substantial savings which capitalized on a sound basis would substantially exceed the sum required by the application of the by-laws formula.

The amount which the Chicago Tribune will receive by application of such formula is inadequate because it is a very small fraction of the total amount which the Chicago Tribune has paid to AP in assessments in excess of the cost of gathering and distributing news. It does not adequately compensate the Chicago Tribune for the value it has contributed to AP by its promotion of AP news in the middle west throughout the eighty years of the Tribune's existence. The sum is probably inadequate to compensate the Chicago Tribune for the expense, which it will incur in offsetting the damage sustained by loss of exclusive AP service in the morning field in Chicago.

(S.) A. S. Van Benthuysen.

Subscribed and sworn to before me this 16 day of June, A. D. 1943. Pearl E. Loeber, Notary Public. (Seal.)

[fol. 1794] AFFIDAVIT OF PAUL BELLAMY

STATE OF OHIO,
County of Cuyahoga, ss:

PAUL BELLAMY, being duly sworn deposes and says:

I am now and have been a member of the Board of Directors of the defendant, The Associated Press, since 1934.

I am the editor of the Cleveland Plain Dealer, a morning and Sunday newspaper, published in the City of Cleveland, Ohio. Except for a brief period of two and a half

years during which I was engaged in another business and in the service of the United States Army, I have been continuously with the Cleveland Plain Dealer since February, 1907.

I have read the affidavit of S. Emory Thomason verified the 18th day of June, 1943, and so far as the statements of facts set forth therein are within my personal knowledge, they are true and correct.

Early in 1941, a committee of the Board of Directors consisting of its president, Mr. Robert McLean, its ex-president, Mr. Frank B. Noyes, and myself were appointed for the purpose of conferring with the By-Laws Committee of members which had been appointed pursuant to a resolution of the April, 1940 annual meeting. From time to time during 1941, and before the annual meeting in April, 1942, members of the two committees conferred and discussed many suggested changes in the by-laws. It was agreed that the elements which should be taken into consideration in determining the value of a membership in The Associated Press were the elements referred to in paragraph 6 of the affidavit of Mr. Thomason.

When the proposals (both those of the By-Laws Committee of members and those of the Board) for amendments to the by-laws were submitted to the membership at the annual meeting in April, 1942, there were numerous suggestions of changes made from the floor. The President appointed a committee consisting of two members of the [fol. 1795] Board, Mr. John Cowles and myself, to confer with Messrs. Knight and Thomason for the purpose of coming to an agreement on specific proposals for admission of new members to be acted upon by the membership. Messrs. Knight, Thomason, John Cowles, and myself thereupon conferred while the annual meeting was in session and agreed upon amendments to the provisions of the by-laws relating to admission to membership.

The conferees agreed (a) upon a majority vote, (b) upon the 10% payment or three times the current, annual assessment, whichever was larger, and (c) upon the giving up by the applicant for membership of exclusive rights to any news or newspicture services.

These amendments were subsequently adopted by the membership and are now incorporated in Article III of the by-laws, except that in February, 1943, the provision re-

lating to three times the current annual assessment was eliminated.

Paul Bellamy.

Subscribed and sworn to before me this 19 day of June, A. D. 1943. Joseph H. Zucker, Notary Public. (Seal.)

[fol. 1796] AFFIDAVIT OF ROBERT R. BOOTH

STATE OF NEW YORK,
County of New York, ss:

ROBERT R. BOOTH, being duly sworn, deposes and says:

I am the auditor of The Associated Press. I have read the affidavit of Guy Raynor Hill submitted in behalf of the plaintiff upon its motion for summary judgment in this action, which affidavit is included in the printed volume of affidavits filed in support of the plaintiff's motion, and at pages 57 and 58 thereof, Mr. Hill compares the aggregate compensation paid to *string correspondents only* by United Press and International News Service in the United States during the year 1942, with the aggregate compensation paid by The Associated Press during the year 1942, to *"all string correspondents, string photographers and other parttime workers"* in the United States. The amounts so compared are: United Press, $74,217.06; International News Service, $25,743.89; and The Associated Press, $205,929.91.

On the basis of this comparison, Mr. Hill concludes that the average annual amount for the year 1942, per string correspondent, paid by United Press, was $35.54; by International News Service, $13.81; and by The Associated Press "per parttime worker (i. e., string correspondents, string photographers, etc.)", $68.83.

The error embodied in Mr. Hill's comparison is apparent. In the case of United Press and International News Service, the figures are for string correspondents only whereas in the case of The Associated Press the figure is for *all* parttime workers.

The fact is that during the year 1942, The Associated Press paid its string correspondents the aggregate compensation of only $80,760.59, which sum was equivalent to an

average annual amount per AP string correspondent of only $29.20.

The figure of $205,929.91 is the figure given by AP in answer to Plaintiff's interrogatory No. 32 which reads:

> "32. State the total amount of compensation paid by The Associated Press during each of the years 1941 [fol. 1797] and 1942 to part-time employees located in the United States (including among such part-time employees all persons to whom The Associated Press paid any compensation in return for rendering service to The Associated Press or for its benefit."

AP's answer to this interrogatory was as follows:

> "*Ans.* The total amount of compensation paid by The Associated Press in each of the years 1941 and 1942 to persons not regularly employed by it in the United States but to whom compensation was paid in return for rendering service to The Associated Press, or for its benefit, was: 1941, $207,942.33; 1942, $205,929.91. The Associated Press does not have a classification of part-time employees."

The items making up the figures contained in AP's answer are as follows:

	1941	1942
Regional news string correspondents	$ 89,612.92	$ 80,760.59
General news (not regional) correspondents	4,403.81	5,354.02
Supplemental sports (not regional) correspondents	4,567.42	4,658.87
Photographers	28,172.97	22,323.69
Comics and cartoon artists	55,055.00	67,782.16
Special writers (features)	22,592.17	8,742.00
Primaries and elections payments	1,219.40	13,410.27
Cross-word puzzles	2,283.64	2,393.56
Miscellaneous	35.00	504.75
	$207,942.33	$205,929.91

Robert R. Booth.

Sworn to before me this 8th day of June, 1943.
Michael F. Moran, Notary Public. (Seal.)

[fol. 1798] AFFIDAVIT OF ROBERT R. BOOTH

STATE OF NEW YORK,
County of New York, ss:

ROBERT R. BOOTH, being duly sworn, deposes and says:

I am the Auditor of the defendant, The Associated Press. On January 9, 1943, there were 1195 members of The Associated Press who were assessed on a weekly basis in the total amount of $211,022.83. Of this total, $110,726.83 was assessed to 108 members, the weekly assessments of each of which were in the amount of $500.00 or more; $18,781.15 was assessed to 48 members, the weekly assessments of each of which were in amounts from $300.00 to $499.99; $15,107.06 was assessed to 63 members, the weekly assessments of each of which were in amounts from $200.00 to $299.99; $26,152.91 was assessed to 190 members, the weekly assessments of each of which were in amounts from $100.00 to $199.99; $40,254.88 was assessed to 786 members, the weekly assessments of each of which were under $100.00.

Robert R. Booth.

Sworn to before me this 21 day of June, 1943.
Michael F. Moran, Notary Public. (Seal.)

[fol. 1799] AFFIDAVIT OF DANIEL J. SHILLER

STATE OF NEW YORK,
County of New York, ss:

DANIEL J. SHILLER, being duly sworn, says:

I am associated with Milbank, Tweed & Hope, attorneys for defendant, The Associated Press, in this action.

I have made a study of the verbatim minutes of the meetings of the Board of Directors and of the annual meetings of members of The Associated Press from 1900 to October 8, 1931, inclusive, and of the printed Annual Reports of The Associated Press for the years 1900-1942, inclusive.

During the eleven (11) year period, August 1932-August 1942, the printed Annual Reports of The Associated Press show that eighty-nine (89) newspapers applied for morning membership in The Associated Press. I have checked the

circulations of these papers in the year in which they applied in the Editor & Publisher International Year Books, except as to those which had no circulations due to the fact that they had not started publication at the time of application.

This study showed that no English language morning newspaper, with a circulation of over ten thousand (10,000), with the exceptions of the Chicago (Ill.) Sun and the Washington (D. C.) Times Herald, was refused membership in The Associated Press during that period. The study further showed that of these eighty-nine (89) applications for morning membership during this period, only twelve (12) applicants were rejected, which number includes, of course, the Chicago (Ill.) Sun and the Washington (D. C.) Times Herald.

Attached hereto and marked Exhibit A is a list of the applicants for morning membership whose applications were rejected during the period August 1932-August 1942.

My studies of the verbatim minutes of the meetings of the Board of Directors and of the annual meetings of mem-[fol. 1800] bers of The Associated Press showed that in the period from 1900 to October 8, 1931, inclusive, at least one hundred and thirty-one (131) elections to Associated Press membership took place over the objections and/or protest rights of Associated Press members.

Attached hereto and marked Exhibit B is a list of the newspapers thus elected.

Daniel J. Shiller.

Sworn to before me this 19 day of June, 1943, Pearl E. Loeber, Notary Public. (Seal.)

[fol. 1801] EXHIBIT A

Morning Papers Applying for AP Membership

August 1932-August 1942

Whose Applications Were Rejected

(Compiled from Printed Annual Reports of The Associated Press)

Athens (Ga.) Daily Times
Bloomington (Ind.) Star
Chicago (Ill.) Sun

EXHIBIT A—Continued

Gainesville (Fla.) Morning News
Hastings (Neb.) Morning Spotlight
Hobs (N. M.) Daily Post
Hollywood (Fla.) Sun
Las Cruces (N. M.) Morning Sun
Liberal (Kans.) Southwest Times
Manila (P. I.) El Debate (Spanish)
Manila (P. I.) Mabuhay (Tagalog)
Washington (D. C.) Times-Herald

[fol. 1802] EXHIBIT B

List of Newspapers Elected into AP Membership Over The Protests or Objections of AP Members from 1900 to October 8, 1931, Inclusive, Compiled from the Verbatim Reports of the Meetings of the Board of Directors and of The Annual Meetings of Members of the Associated Press

Key: P—Elected by Annual Meeting of Members over protest rights.

Newspaper	*Date of Election*
Salt Lake Evening Tribune (Utah)	February 19, 1901
El Reno American (Okla.)	May 8, 1901
Zanesville Signal (Ohio)	September 16, 1902
Durango Telegraph (Colo.)	September 16, 1902
Riverside Enterprise (Cal.)	May 13, 1903
Charlotte News, (N. C.)	September 15, 1903
Fort Smith News Record (Ark.)	September 17, 1903
Ogden Examiner (Utah)	September 17, 1903
Meriden Times (Conn.)	May 10, 1905
Lewiston Teller (Ida.)	December 13, 1905
Carthage Press (Mo.)	September 18, 1906
Providence Tribune (R. I.)	September 18, 1906
Spartanburg Journal (S. C.)	September 18, 1906
Asheville Gazette-News (N. C.)	May 8, 1907
Battle Creek Enquirer (Mich.)	September 17, 1907
Missoula Herald (Mont.)	April 22, 1908
Des Moines Evening Tribune (Iowa)	December 9, 1908
Lockport Journal (N. Y.)	December 9, 1908
Columbia Evening Sun (S. C.)	January 9, 1909
Globe Evening Tribune (Ariz.)	January 9, 1909
*Springfield Daily News (Ohio)	April 21, 1909

* Sunday membership.

Exhibit B—Continued

Newspaper	*Date of Election*
Wichita Falls Morning News (Tex.)	December 15, 1909
*Bellingham Sunday Herald (Wash.)	December 15, 1909
Charlotte Chronicle (N. C.)	January 26, 1910
Greenville Piedmont (S. C.)	April 25, 1910
Ellensburg Record (Wash.)	April 27, 1910
Goldfield News (Nev.)	April 27, 1910
Winston-Salem Journal (N. C.)	April 24, 1911
Roswell Morning News (N. M.)	December 13, 1911
[fol. 1803] Longview Press (Tex.)	February 13, 1912
Longview Times-Clarion (Tex.)	February 13, 1912
Bartlesville Morning Examiner (Okla.)	October 9, 1912
Laramie Boomerang (Wyo.)	October 9, 1912
Paducah Evening Sun (Ky.)	October 9, 1912
Guthrie Morning Star (Okla.)	October 9, 1912
Muscatine News Tribune (Iowa)	October 15, 1913
Devil's Lake Journal (N. D.)	October 15, 1913
Carson City Appeal (Nev.)	December 11, 1913
St. Petersburg Morning Times (Fla.)	February 11, 1914
Havana El Heraldo (Cuba)	April 19, 1915
Bartlesville Morning Examiner (Okla.)	April 19, 1915
High Point Enterprise (N. C.)	April 21, 1915
Calexico Chronicle (Cal.)	October 6, 1915
*Columbus Ledger (Ga.)	October 6, 1915
South Bend Morning News-Times (Ind.)	December 8, 1915
Livingston Enterprise (Mont.)	April 26, 1916
Jerome News (Ariz.)	December 13, 1916
Champaign News (Ill.)	April 25, 1917
P Santa Rosa Press-Democrat (Cal.)	April 24, 1917
Wichita Falls Morning Tribune (Tex.)	October 3, 1917
Portsmouth Evening Star (Va.)	October 4, 1917
Port Arthur Record (Tex.)	December 12, 1917
P Warren Tribune (Ohio)	April 23, 1918
P Palo Alto Times (Cal.)	April 23, 1918
Havre Democrat (Mont.)	April 24, 1918
Nampa Record (Ida.)	December 12, 1918
Jefferson City Post (Mo.)	December 12, 1918
Jackson Morning News (Mich.)	April 17, 1919
Warren Morning Chronicle (Pa.)	April 17, 1919
Escanaba Morning Press (Mich.)	April 18, 1919
*Port Arthur Evening Record (Tex.)	April 18, 1919
Vincennes Capital (Ind.)	April 18, 1919
Johnstown Evening Leader (Pa.)	April 18, 1919
Alton Evening Telegraph (Ill.)	April 19, 1919
P Trenton Times (N. J.)	April 22, 1919
Cape Girardeau Sun (Mo.)	October 1, 1919
Clarksburg Exponent (W. Va.)	October 1, 1919
Ogdensburg News (N. Y.)	October 2, 1919

* Sunday membership.

Exhibit B—Continued

[fol. 1804]

Newspaper	*Date of Election*
Chico Enterprise (Cal.)	December 11, 1919
Honolulu Daily Nippu Jiji (Hawaii)	April 16, 1920
Yazoo City Sentinel (Miss.)	April 19, 1920
P San Jose Evening News (Cal.)	April 20, 1920
Prescott Evening Courier (Ariz.)	October 6, 1920
Hackensack Evening Record (N. J.)	October 6, 1920
Holtville Tribune (Cal.)	October 7, 1920
Amarillo Tribune (Tex.)	October 6, 1921
Monterey El Diario (Mex.)	October 6, 1921
Huntington Advertiser (W. Va.)	December 14, 1921
Puebla El Pueblo (Mex.)	December 15, 1921
Winona Leader (Minn.)	December 15, 1921
Johnson City Chronicle (Tenn.)	February 15, 1922
** Asheville Independent (Ky.)	February 15, 1922
Greenville Morning Herald (Tex.)	February 15, 1922
Ypsilanti Press (Mich.)	April 24, 1922
Laredo Morning News (Tex.)	April 24, 1922
Oswego Daily Times (N. Y.)	October 4, 1922
Mt. Vernon Herald (Wash.)	October 4, 1922
Lodi Sentinel (Cal.)	October 4, 1922
Attleboro Sun (Mass.)	January 25, 1923
Florence News-Review (S. C.)	April 20, 1923
Merced Star (Cal.)	April 21, 1923
P Redwood Tribune (Cal.)	April 24, 1923
Baton Rouge Morning News (La.)	October 3, 1923
Freeport Daily Review (N. Y.)	October 3, 1923
Long Beach Press (Cal.)	January 23, 1924
Lisbon Patriot (Ohio)	January 23, 1924
Coaldale Panther Creek News (Pa.)	January 24, 1924
Fort Myers Tropical News (Fla.)	January 24, 1924
Kellogg News (Ida.)	January 24, 1924
Lafayette Advertiser-Gazette (La.)	January 24, 1924
Sapulpa Daily Times (Okla.)	April 19, 1924
* Sarasota Times (Fla.)	October 2, 1924
Eau Claire Telegram (Wis.)	October 2, 1924
* Salisbury Post (N. C.)	October 2, 1924
Schenectady Union-Star (N. Y.)	October 2, 1924
Winter Haven Chief (Fla.)	October 2, 1924
Fort Lauderdale Sentinel (Fla.)	October 2, 1924

[fol. 1805]

Woodland Mail (Cal.)	October 2, 1924
Sapulpa Morning Times (Okla.)	January 29, 1925
Lima Star (Ohio)	April 16, 1925

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* Sunday membership.

** Objection to Sunday membership only, no objection to evening membership.

EXHIBIT B—Continued

Newspaper	*Date of Election*
Manila Tribune (P. I.)	April 16, 1925
Stoughton Courier Hub (Wis.)	October 8, 1925
Plant City News (Fla.)	October 9, 1925
Sebring American (Fla.)	January 29, 1926
Sapulpa Bulletin (Okla.)	April 21, 1926
Suffolk News (Va.)	October 7, 1926
Brownsville Telegraph (Pa.) (PM)	October 7, 1926
Hiawatha Daily World (Kan.)	October 7, 1926
Lawrence Tribune (Mass.)	October 7, 1926
Lawrence Eagle (Mass.)	October 7, 1926
San Antonio News (Tex.)	October 8, 1926
Brownsville Telegraph (Pa.) (AM)	January 27, 1927
Logansport Pharos-Tribune (Ind.)	April 23, 1927
Florence Daily News (Colo.)	October 5, 1927
Elizabethton Star (Tenn.)	January 24, 1928
Paris Gazette (Ill.)	April 17, 1928
Harlingen Star (Tex.)	January 8, 1930
Muncie (Ind.) Press	September 30, 1930
Murfreesboro News Banner (Tenn.)	January 15, 1931
Sistersville Oil Review (W. Va.)	April 17, 1931
Waynesboro News-Virginian (Va.)	October 8, 1931

[fol. 1806] AFFIDAVIT OF DANIEL J. SHILLER

STATE OF NEW YORK,
County of New York, ss:

Daniel J. Shiller, being duly sworn, deposes and says:

I am associated with Messrs. Milbank, Tweed & Hope, attorneys for the defendants, The Associated Press, et al., in the above-entitled action.

I have examined the printed annual reports of The Associated Press for the years August 1932 to August 1942, inclusive. These reports show that during that period 338 applications for membership in The Associated Press were granted by the Board of Directors. During the same period only 16 applicants were rejected by the Board of Directors.

Daniel J. Shiller.

Sworn to before me this 21 day of June, 1943. Pearl E. Loeber, Notary Public. (Seal.)

[fol. 1807] AFFIDAVIT OF EDWIN M. WILLIAMS

STATE OF NEW YORK,
County of New York, ss:

Edwin M. Williams, being duly sworn, deposes and says:

United Feature Syndicate, Inc., hereinafter referred to as UFS, a wholly-owned subsidiary of UP, supplies its newspaper subscribers with features, a list of which is annexed hereto as Exhibit 1.

As of April 24, 1943, the number of newspapers subscribing to UFS feature service was 1,075, of which 916 were domestic newspapers.

In 1930, the total expenditures of UFS in conducting its business, excluding reserved expense accounts, depreciation and federal taxes, was $415,868.20, whereas in 1942, similar expenditures were approximately three times that amount.

The total expenditures of UFS in conducting its business, with the above mentioned exclusions, and the number of domestic newspaper subscribers to its feature services, for each of the years 1935 to 1942, inclusive, were as follows:

Year	*Expenditures*	*Domestic Newspaper Subscribers*
1935	820,153.60	673
1936	844,399.07	701
1937	983,826.98	785
1938	1,093,983.48	778
1939	1,228,350.98	861
1940	1,314,569.63	864
1941	1,099,926.97	907
1942	1,223,139.00	866

[fol. 1808] As of August, 1942, the number of UFS employees was 75.

A particular UFS feature is sold by it to only one newspaper in a city.

The value of a UFS feature to a newspaper subscriber is dependent upon exclusive publication by it in its city.

The features which UFS sells to the Chicago Sun are not published by any other newspaper in Chicago.

Annexed hereto and marked Exhibit 2 are advertising and promotional material issued and distributed by UFS during the years 1940-1942 inclusive.

The number of UFS subscribers which were also subscribers to UP news service as of April 24, 1943, was 485.

Edwin Moss Williams.

Sworn to before me this 17th day of June, 1943.
Carl B. Molander, Notary Public. (Seal.)

[fol. 1809] EXHIBIT 1

Abbie an' Slats by Raeburn Van Buren
Broncho Bill by Harry O'Neill
Ella Cinders by Charles Plumb
Fritzi Ritz-Nancy by Ernie Bushmiller
Hap Hopper Edited by Drew Pearson.
Joe Jinks
Li'l Abner by Al Capp
Little Mary Mixup by R. M. Brinkerhoff
Race Riley and the Commandos (English and Spanish) by Milburn Rosser
Tarzan (English and Spanish) by Edgar Rice Burroughs

Cartoons and Squares

Back Home Again by Ed Dodd
Editorial by Paul Berdanier
Everyday Movies by Dennis Wortman
Jasper by Frank Owen
Sports by Alan Maver
Strange As It Seems by John Hix

Columns

Bill Cunningham
Ernie Pyle (The Roving Reporter)
Everyday Living (by Dr. Jos. Fort Newton)
Raymond Clapper (In Washington)
Harry Hansen (The First Reader)
"My Day" by Eleanor Roosevelt
Westbrook Pegler (Fair Enough)
Washington Merry-Go-Round by Drew Pearson

Major Al Williams (Airpower)
Joe Williams (Sports)
Sidney Skolsky on Hollywood
Personal-Problems Column by Caroline Chatfield

[fol. 1810] Fashions

By Eleanor Gunn, Daily and Sunday

Fiction

First-run Serials, thirty-six instalments
First-run Short-Short Stories
Big-name Book Series

Color Comic Pages

Abbie an' Slats by Raeburn Van Buren
Broncho Bill by Harry O'Neill
Captain and the Kids (English and Spanish) by Rudolph Dirks
Ella Cinders by Charles Plumb
Fritzi Ritz by Ernie Bushmiller
Gordo by Gus Arriola
Hap Hopper Edited by Drew Pearson
Hawkshaw the Detective by Rudolph Dirks
Joe Jinks
Li'l Abner by Al Capp
Nancy by Ernie Bushmiller
Strange As It Seems by John Hix
Tarzan (English and Spanish) by Edgar Rice Burroughs

Miscellaneous

Daily Picture Page (fully matted or chopped)
Daily Magazine Page (fully matted or as proof with mats of illustrations)

Your Good Health by Dr. Claud N. Chrisman
Profiles by Talbott Lake
Beauty Tips
Guide to Charm by Jacqueline Hunt
Modes and Manners
Tasty Dishes for Today by Judith Wilson and Food illustration

[fol. 1811] Fashion Illustration and Column by Eleanor Gunn
Modern Women by Marian Mays Martin
You and Your Child by Jane Coward
Short Cuts

Daily Crossword Puzzle and Answer
S/Daily Your Birthday (Horoscope by Stella)
Daily Pony Page
Editorial Cartoon
Guide to Charm by Jacqueline Hunt
Your Good Health by Dr. Claud N. Christman
Tasty Dishes for Today by Judith Wilson
6 or 7 pictures
Fashion illustration

Magazines

Tip-Top Comics (monthly)
Sparkler Comics (monthly)
Comics on Parade (quarterly)

1/4/41

TOP COLUMNISTS OF 1941

ROBERT S. ALLEN
Washington Merry-Go-Round

RAYMOND CLAPPER
In Washington

THEODORE BILBO
The American Farmer

HUGH S. JOHNSON
High Adventure

DREW PEARSON
Washington Merry-Go-Round

WESTBROOK PEGLER
Fair Enough

ERNIE PYLE
Roving Reporter

ELEANOR ROOSEVELT
My Day

MAJOR AL WILLIAMS
Inspector

JOE WILLIAMS
Sports

United FEATURE SYNDICATE
220 EAST 42nd STREET
NEW YORK CITY

2/8/41

"Amazed at the material for the price!"

the united feature syndicate budget service

Of our Budget Service, J. Walter Day, editor and manager of the Ft. Lauderdale, Fla., Times, writes:

"When we started publication last April, I picked United Features because I thought they were the best.

"Since starting, I have had every feature known to man put up to me, but I can frankly say none compares to yours.

"Your comics are above average.

"Your picture service is right up to the minute. We have used pictures that 4 or 5 days later appear on the front page of Time magazine and have been scattered through Life a week later.

"Your magazine page is tops. We have had the highest praise of it from the women folk.

"I am amazed at the material for the price."

Would you like to see Budget Service samples?

United FEATURE SYNDICATE
220 EAST 42nd STREET
NEW YORK CITY

2/22/41

NEW HAMPSHIRE rounds out the Union for—

With its recent starting in The Laconia, New Hampshire, Evening Citizen, THE WASHINGTON MERRY-GO-ROUND makes its nation-wide sweep complete.

Drew Pearson's and Robert S. Allen's column now is published in newspapers in every one of the 48 states—and in every U. S. territory.

The total number of these newspapers is 592.

United FEATURE SYNDICATE
220 EAST 42nd STREET
NEW YORK CITY

SHARES FIRST-PRIZE AWARD FOR CALIFORNIA'S "BEST WOMAN'S PAGE"

7 years old

443 papers strong

LIL ABNER

PULITZ PRIZ PEGL

United Feature Syndicate
New York City

United Feature Syndicate
New York City

United Feature Syndicate
New York City

1471

1819

1472

EDITOR & PUBLISHER

[redacted]

MATTED NEWS PICTURES

[redacted]

Full-page or Clipped

[redacted]

[redacted]

[redacted]

Dec. 7th, 1941

55 MILLION
READERS
FOLLOW THESE
UNITED
FEATURES
COMICS!

United FEATURE SYNDICATE
220 EAST 42nd STREET
NEW YORK CITY

1813

1/2/43

86 MILLION
READERS
FOLLOW THESE
UNITED
FEATURES
COMICS!

United FEATURE SYNDICATE
220 EAST 42nd STREET
NEW YORK CITY

[fol. 1814] AFFIDAVIT OF EDWIN M. WILLIAMS

STATE OF NEW YORK,
County of New York, ss:

EDWIN M. WILLIAMS, being duly sworn, deposes and says:

I am vice president and general business manager of United Press Associations, a New York corporation, hereinafter referred to as UP. The books and records of UP are in my custody and control. I have personally examined the same and the following facts are true as I verily believe:

UP is a stock corporation organized for profit in 1907 and is engaged in gathering and transmitting the news of the world to newspapers, radio stations and others. The majority of its stock is owned by E. W. Scripps Company. In 1907, E. W. Scripps, who was the owner of several newspapers in the United States, purchased the Publishers Press and combined it with the Scripps-McRae Press Association and the Scripps News Association into UP. Before the combination, Publishers Press served newspapers on the Atlantic seaboard, Scripps-McRae served newspapers between Pittsburgh, Pennsylvania, and the Pacific coast, and the Scripps News Association served newspapers in the Pacific coast states. Publishers Press, Scripps-McRae and Scripps News were all news agencies engaged in the gathering and transmitting of news of the world to newspapers.

The Board of Directors of UP is composed of the following: Hugh Baillie, J. H. Furay, J. L. Miller, Karl A. Bickel, Roy W. Howard, W. W. Hawkins and George B. Parker.

UP maintains a complete news service for morning and evening newspapers, radio stations and others.

UP is operated on the basis that neither the amount of the mileage of leased wire circuits nor the number of hours worked by employees is determinative of the character or extent of the news reports of a news agency. The deter-
[fol. 1815] minative factors are the capacities of the individuals employed, the setup of the organization and the audacity, enterprise, energy and ingenuity with which the enterprise is carried on.

UP maintains bureaus in strategic news centers around the world. Each bureau is assigned to cover the news developing in a definite geographic unit. In this manner the job of collecting the news of the world is organized so that there is full detailed responsibility and a minimum of duplication of effort or expense.

Each bureau has a staff of full time news employees, who collect and write the news. Part of this news is covered by UP's own staffers in important news producing points such as state and national capitals, big cities, etc.

In addition each area has a staff of string correspondents. Many of these are employed on local newspapers or radio stations. These string correspondents have definite territory assignments, and are responsible for news coverage twenty-four hours daily. Attached hereto and marked Exhibit 1 is a list of the names and addresses of UP string correspondents in its Central Division.

All bureaus in the United States are connected by an elaborate network of wires leased from the A. T. & T. These circuits criss-cross the nation from the Atlantic to the Pacific and from Canada to Mexico. In addition to connecting the UP bureaus, these wires lead into the editorial rooms of UP subscribers across the states.

At the time of its organization in 1907, UP had 369 newspaper subscribers to its news service. As of December 1, 1941, UP had 1,399 newspapers, 471 radio stations and 121 others subscribing to its news service, or a total of 1,991 subscribers.

In 1907, all of UP's 369 subscribers were evening newspapers. At that time, UP had no morning wire service. As of September 30, 1941, UP had, in the United States 150 daily English language morning newspaper subscribers, 695 daily English language evening newspaper subscribers, [fol. 1816] 17 Sunday only English language newspapers, and 119 other newspapers subscribers, a total of 981 newspaper subscribers in the United States. In addition, as of September 30, 1941, UP had 391 foreign newspaper subscribers.

Of the 981 domestic newspaper subscribers to UP news service on September 30, 1941, more than 600 are not listed in Exhibit F annexed to the complaint in this action.

The total expenditures, excluding federal taxes, of UP in conducting its business of gathering and distributing its

news service to its subscribers and the average total number of such subscribers for each year from 1907 to 1941, inclusive, were as follows:

Year	*Total Expenditures*	*Total Number of Clients*
1907	251,560.39*	369
1908	544,964.10*	359
1909	601,903.92*	392
1910	688,647.15*	427
1911	626,980.89*	426
1912	635,052.87*	491
1913	651,750.49*	496
1914	709,600.11*	595
1915	775,599.95*	586
1916	806,093.20*	653
1917	899,539.18*	726
1918	1,166,706.15*	716
1919	1,411,447.02*	745
1920	1,826,840.46*	782
1921	1,989,488.41*	796
1922	2,161,614.95*	882
1923	2,306,699.14*	901
1924	2,493,742.52*	951
1925	2,706,633.72*	991
1926	3,190,356.71*	1038
1927	3,496,634.84*	1037
1928	3,664,472.23*	1114
[fol. 1817]		
1929	3,903,041.67*	1137
1930	4,192,741.52*	1317
1931	4,087,769.63*	1209
1932	3,858,670.10	1167
1933	3,615,886.09*	1182
1934	3,918,725.64*	1291
1935	4,208,490.74*	1447
1936	4,621,315.50*	1550
1937	4,873,990.89*	1629
1938	5,298,765.94	1693
1939	5,423,096.55	1790
1940	6,053,388.98	1839
1941	6,647,863.61	1991

*Note: These figures do not include foreign expenses not recorded on our New York books.

The names and locations by states of all domestic English language, daily and Sunday only newspapers, totaling 862, to which UP supplied its news service on September 30, 1941, and the year in which each such domestic newspaper became a subscriber to UP news service, are listed on Exhibit 2 annexed hereto.

The names and locations by countries of all foreign newspapers, totaling 391, to which UP supplied its news service on September 30, 1941, are listed on Exhibit 3 annexed hereto.

The location of each of the UP 61 domestic bureau offices and 33 foreign bureau offices maintained in August, 1942, with the coverage of each bureau office, the number of employees and description of the duties of each employee is contained in Exhibit 4 annexed hereto.

The location of 14 additional foreign bureau offices maintained by UP in the period from January 1, 1933, to September 1, 1939 (prior to the ontbreak of the present [fol. 1818] war), with the coverage of each such bureau office, the number of employees and a description of the duties of each employee is contained in Exhibit 5 annexed hereto.

As of August, 1942, the total number of full-time employees and string men utilized by UP in the United States in its news service was 2,885, of whom 797 were full-time employees. In addition, UP employed on that date 183 part-time employees, besides string men.

In addition, 584 domestic newspapers and 457 domestic radio stations were obligated to furnish local news collected by their reporters, correspondents and string men to UP. Attached hereto marked Exhibit 6 is a list of the newspapers and radio stations in the UP Central Division which were so obligated.

As of August, 1942, the total number of full-time employees and string men utilized by UP in foreign countries in its news service was approximately 1,279, of whom 529 were full-time employees.

In addition, many foreign newspapers and many foreign radio stations were obligated to furnish local news collected by their reporters, correspondents and string men to UP.

The number of UP reporters and correspondents who in the period from January 1 to May 1, 1943, were with the armed forces of the United States as representatives of UP has varied from 25 to 30.

As of August, 1942, the UP staff at Washington included 64 editorial employees.

The names of the foreign organizations which exchanged news with UP during the years 1941 and 1942, are as follows:

Australian Associated Press. Full service available in Australia; some in New York.

Central News of China. Full service available in Chinkiang.

[fol. 1819] British United Press. Full service available in Montreal.

Tass Agency. Full service available at Moscow; some at New York.

Agence Anatole, Turkey. Full service available at Ankara.

The names of additional foreign organizations which exchanged news with UP in the period from January 1, 1933, to September 1, 1939 (prior to the outbreak of the present war) are as follows:

Agence Radio	Paris, France
Nippon Denpo	Tokio, Japan

The names of the organizations, domestic and foreign, from which UP purchased news during the years 1941 and 1942, are as follows:

Domestic Agencies

Ship News Reporters Association
15 Moore Street, New York, N. Y.

Standard News Association
63 Park Row, New York, N. Y.

Dow-Jones & Company
44 Broad St., New York, N. Y.

Western Union Telegraph Co.
60 Hudson Street, New York, N. Y.
(Financial quotations)

Western Union Telegraph Co.
Chicago, Illinois
(Sports)

Postal Telegraph Company
Columbus, Ohio
(Sports)
[fol. 1820] Western Union Telegraph Company
Indianapolis, Ind.
(Sports)
Madden News Service
Hoboken, N. J.
Al Munro Elias
11 West 42nd St., New York, N. Y.
(Baseball statistics)
Copeland News Service
Boston, Mass.
Urner Barry Company
175 Chambers St., New York, N. Y.
Court News Combination
Philadelphia, Pa.
Standard & Poors Corp.
New York, N. Y.
(Financial statistics)
Comtelburo, Ltd.
66 Beaver St., New York, N. Y.

Foreign Agencies

Exchange Telegraph, Ltd., London, England
British Press Association, London, England
Daily Telegraph, Ltd., London, England
Comtelburo, Ltd., London, England
Agencia EFE, S. A., Madrid, Spain
Agencia Mencheta, Madrid, Spain
[fol. 1821] ANP Ticker Service [1941 only], Amsterdam, Holland
Scherl-Verlag [1941 only], Berlin, Germany
DNB [1941 only], Berlin, Germany
Agence Havas, Vichy, France
Observatore Romano [1941 only], Rome, Italy
Stefani [1941 only], Rome, Italy
ANETA, 50 Rockefeller Plaza, New York, N. Y.
Australian United Press, Melbourne, Australia

The names of the additional foreign organizations from which UP purchased news in the period from January 1, 1933 to September 1, 1939 (prior to the outbreak of the present war) are as follows:

Lloyd's Register, London, England
Central News, London, England
Febus Agency, Madrid, Spain
Politische Korrespondenz, Berlin, Germany
Telegrafen Union, Berlin, Germany
Tel-Komp Agency, Vienna
Amepress, Vienna
Herzog Agency, Vienna
Wilhelm Police Agency, Vienna

UP maintains a complete financial news service, including all stock, bond and curb transactions, local mar-
[fol. 1822] kets, foreign markets, commodity markets, etc. Forty full-time employees are exclusively employed in handling the distribution of UP's financial news service. In addition, a large number of other employees devote part of their time to the UP financial service. String correspondents as well as regular employees contribute to this service.

UP also maintains a complete racing and sports news service. UP has a complete national election service.

The total daily basic news reports of UP on a nationwide basis total approximately 750,000 words.

The total daily basic news reports of UP furnished to Chicago total approximately 390,000 words, 264,000 to Chicago morning papers and 126,000 to Chicago evening newspapers.

The total daily basic news reports of UP furnished to Washington, D. C., total approximately 208,800 words, 115,200 words to Washington morning newspapers and 93,600 to Washington evening newspapers.

UP has in the United States 169,179 miles of leased wires connecting 643 cities, a list of which are annexed hereto as Exhibit 7.

The network of leased wires is broken into various circuits throughout the country, the grouping being determined largely by common news interest.

UP operates state or regional leased wires in the 39 states shown on Exhibit 8, annexed hereto.

I have read the affidavit of Manfred K. Toeppen filed by the plaintiff in support of this motion for summary judgment. The Toeppen affidavit specifically excludes circuits Nos. 7551 and 7552 which are leased by UP from A. T. & T. These two circuits total 20,132 miles or an

equivalent on the basis of the formula used by Mr. Toeppen in his affidavit, of 3,262,643 weekly mile hours. These circuits serve, in addition to radio stations, 54 newspapers and are utilized as feeders of news reports to all wires of UP Bureaus.

UP has no asset value contracts covering morning papers in Chicago, Washington, New York, Philadelphia, [fol. 1823] Detroit, Los Angeles, Cleveland, Baltimore, St. Louis or Boston, and no such contracts covering evening newspapers in Washington, New York, Philadelphia, Detroit, Cleveland, Baltimore, St. Louis, Boston or Pittsburgh.

I have read the interrogatories Nos. 36, 37, 38, 39 and 40 addressed by the plaintiff to The Associated Press in this suit. With the appropriate changes such as UP subscribers for Associated Press members, UP bureaus for Associated Press bureau, and UP employees for Associated Press employees, the true and correct answer of UP to such interrogatories, if addressed to it, would have been substantially the same as are the answers of The Associated Press.

The provisions of Sections 5 and 6 of Article VIII of the By-laws of The Associated Press which I have examined and which are annexed as Exhibit E to the complaint, have not prevented UP from obtaining local news of events of spontaneous origin occurring in the United States.

Practically all local news is reported to UP bureau offices over the telephone or by telegram or in person. Only a very small percentage of local news is reported to UP bureau offices over leased wires.

UP news service is accurate, non-partisan and comprehensive.

I know of no instance where access to the service of a particular news agency has been determinative of a newspaper's success or failure.

I know of nothing to prevent another organization comparable to UP, The Associated Press or International News Service undertaking to serve newspapers on a comprehensive basis.

There is vigorous rivalry and competition between UP, The Associated Press and International News Service in both the collection and the distribution of news and in the securing of newspaper subscribers and members.

In my experience, newspaper readers have not preferred or demanded The Associated Press news service as against UP news service.

[fol. 1824] Annexed hereto and marked Exhibit 9 are typical advertising and promotional material issued by UP during the years 1941 and 1942. In addition, UP has issued and distributed monthly during the past two years, booklets entitled "UP Play" each of which contains "Samples of prominent front page positions United States dispatches have earned in newspapers using two or more wire services".

Attached hereto and marked Exhibit 10 is a list of the newspapers, with their circulations, presently served by the British United Press, Ltd., a wholly owned subsidiary of UP.

Attached hereto and marked Exhibit 11 is a list of Canadian radio stations served by British United Press, Ltd., all of which were obligated by contract to supply British United Press with local news, collected by them.

The British United Press, Ltd., has not been prevented from obtaining local Canadian news by reason of any provisions of the By-laws of the Canadian Press or otherwise.

I have examined the lists of newspapers contained in Exhibit 14 of the affidavit of Alfred McClung Lee, appearing at pages 169 and 170 of the printed volume of affidavits filed by the plaintiff in support of its motion for summary judgment in this case. I have examined the records of UP as to the amounts presently payable to the 53 newspapers listed on Exhibit 14 under UP asset value contracts. In 6 instances the amounts so payable are under $10,000; in 20, from $10/20,000; in 15, from $20/30,000; in 6, from $30/40,000; in 4, from $40/50,000; in 1, from $50/60,000, and in 1, from $60/70,000. UP does not have any exclusive contracts with newspapers.

(S.) Edwin Moss Williams.

Sworn to before me this 17th day of June, 1943.
Carl B. Molander, Notary Public. (Seal.)

[fol. 1825]

EXHIBIT 1.

CENTRAL DIVISION CORRESPONDENTS

ILLINOIS CORRESPONDENTS

Town	Name of Correspondent	Street Address (if any)
Albion	Mrs. Carro Long	116 W. Main St.
Aledo	Harold Nesbitt	
Altamont	C. E. Ferris	News
Alton	P. B. Cousley	Telegraph
Amboy	Gene Straus	News
Anna	H. C. Reppert	Democrat
Antioch	H. B. Gaston	News
Arcola	P. A. Lindenmeyer	Record
Atlanta	Geo. Crisfield	News
Aurora	Lewis Mrkvicka	1037 Fifth St.
	Robert Richards	Beacon News
Barrington	Geo. Elliot	Review
Barry	H. F. Hess	Adage
Batavia	A. P. Benson	Herald
Beardstown	Virgil Reither	Illinoian Star
Belleville	Joe Adams	News Democrat
Belvidere	Frank Loomis	Republican
Benton	Paul Lyon	
Bloomington	Harold Adams	Pantagraph
Bridgeport	R. R. Rucker	Leader
Bushnell	G. L. Chain	Democrat
Cairo	H. M. Hill	1010 Washington Ave.
Canton	Jas. A. Murphy	Ledger
Carbondale	H. M. Jenson	Herald
Carlinville	Mrs. Lucille Novak	
Carterville	Frank Ledbetter	Herald
Carlyle	H. C. Norcross	
Carmi	Howard Reedy	Democrat Tribune
Carrollton	Mrs. Ruth Baltz	
Carthage	Mrs. W. C. Rowland	Gazette
Casey	Otto Gust	Reporter
Centralia	Wilbur Quick	Sentinel
Champaign	Ed Borman	News Gazette
	Pat Harmon	Sports Dept.
Charleston	Benjamin Weir	News Gazette
Chester	Chas. E. Mueller	Courier

[fol. 1826]

Chillicothe	G. P. Scott	Bulletin
Clinton	Ralph Pelts	Journal Public
Collinsville	J. O. Monroe	Herald
Crystal Lake	R. Boyle	Herald
Danville	Hud Robbins	Commercial News
Decatur	Oliver Miller	1277 W. Forrest St.
DeKalb	F. W. Greenaway	Chronicle
DePue	P. M. Mahoney	Leader
Dixon	Rolland A. Maxson	714 W. Third St.
Duquoin	June Bierbower	Evening Call
Dwight	A. S. Hollbrook	Herald
East St. Louis	Harry Barnes	Journal
Edwardsville	H. C. Crocker	Intelligencer
Effingham	Viola M. Hill	912 Edge Ave.
Eldorado	O. Trigg	Journal
Elgin	W. Boyer	Courier News
Elizabethtown	Harry Porter	
Eureka	Miss Ina Bachmann	

EXHIBIT 1—Continued

ILLINOIS CORRESPONDENTS—Continued

Town	Name of Correspondent	Street Address (if any)
Fairfield	T. O. Matthews	
Farmer City	E. S. Wightman	Journal
Flora	Mrs. Pauline J. Spencer	News
Fulton	C. L. Wilcox	Journal
Freeport	T. F. Lawless	Journal Standard
Galena	H. L. Grimm	Gazette
Galesburg	Robert Switzer	Register Mail
Galva	John T. Nowlan	News
Geneseo	J. H. Perry	Republican
Geneva	C. F. Mead	Republican
Georgetown	F. B. Fletcher	News
Gibson City	John Woolley	Courier
Gillespie	Mrs. E. C. Frederickson	
Gilman	F. H. Simons	Star
Golconda	Phil Craig	Herald Enterprise
Granville	Edward Hawthorne	Record
Greenville	George L. Denny	Advocate
Hamilton	G. H. Gale	Journal
Hardin	A. B. Campbell	
Harrisburg	Curtis G. Small	Register

[fol. 1827]

Harvard	P. E. Whittleton	Herald
Havana	Grace Durdee	
Hillsboro	J. S. Griffin	
Hoopeston	Elizabeth Russell	Chronicle Herald
Jacksonville	Edgar Parsons	W. L. D. S.
Jerseyville	Arthur Thatcher	
Joliet	R. M. Holt	W. C. L. S.
Jonesboro	Paul Ellis	
Kankakee	Al Mayer	621 So. Lincoln Ave.
Kewanee	C. O. Schlaver	Star Courier
Knoxville	L. McDavitt	Republican
Lacon	Miss Helen Kelm	
LaSalle	M. J. Bender	
Lawrenceville	Gordon Thompson	Daily Record
Lebanon	Student Editor	The Review
LeRoy	O. J. Bere	Journal
Lewistown	W. J. Duvall	Record
Lincoln	L. B. Shroyer	
Litchfield	F. P. Hanafin	
Lockport	Mrs. E. H. Spurrier	307 17th St.
Lombard	L. S. Whibbeck	Spectator
Lovington	T. L. Conn	Reporter
McLeansboro	Jack Daniel	Times Leader
Macomb	Clarence Maguire	
Madison	Irene Hilt	Republic
Marion	Homer Butler	Republican
	E. R. Jones	Post
Marshall	Thomas McClure	National Dixie Hotel
Mattoon	J. W. Wells	Journal Gazette
Mendota	G. W. Nisley	Reporter
Metropolis	W. D. Harrington	311 E. 10th St.
	Paul Ragsdale	Box 29
Monmouth	Earl Bennett	
Monticello	Mrs. Allen Anderson	
Morris	Francis J. McTaggart	Herald
Mound City	Willis Edwards	Enterprise
Mt. Carmel	Earl Allison	Republican Register
Mt. Sterling	W. R. Brooks	Democrat

[fol. 1828]

EXHIBIT 1—Continued

ILLINOIS CORRESPONDENTS—Continued

Town	Name of Correspondent	Street Address (if any)
Mt. Vernon	Hon. Clyde Lee	
Murphysboro	W. G. Piggott	Independent
Nashville	Carolyn Troutt	Journal
Newton	Lawrence Shupp	Press
Normal	C. A. Burner	Normalite
Olney	Allen Yount	Mail
Oquawka	C. M. Bell	Journal
Oregon	Chester Landers	
Pana	Mrs. Geo. Dougherty	
Paris	Ed Jenison	Beacon News
Paxton	H. H. Stevens	Record
Pekin	Shirley Dennis	Times
Peoria	J. Robert Ellis	Star
Peru	Chas. Miller	Times-Herald
Petersburg	Mrs. Gladys Hudspeth	
Pinckneyville	L. B. Sheley	Democrat
Pittsfield	Mrs. Rose Brooks	
Pontiac	Lloyd Armstrong	Leader
Princeton	Samuel Traynor	Bailey Enterprises
Quincy	F. J. Baldwin	1906 Ohio St.
Robinson	George McCarty	News
Rock Island	Herb Wilson	Argus
Rockford	Dick Day	Sports Dept.
		Register Republic
	R. G. Trank	Register Republic
	Curt West	Star
Rushville	Gertrude Abbott	
Salem	Chas. E. Vursell	Republican
Savanna	D. C. Pickard	Times Journal
Shawneetown	P. J. Walter	Democrat
Shelbyville	W. H. Taylor	Union
Springfield	Adolph J. Belval	300 S. Amos Ave.
Sterling	Harry E. Kidd	Gazette
Streator	John Forwoff	Times Press
Sullivan	Glen Cooper	Moultrie County News
Taylorville	Mrs. Leota Burns	Breeze Courier
Trenton	Newt Rule	Sun
Toledo	County Judge Chas. M. Connor	
Toluca	Clyde Larimer	

[fol. 1829]

Toulon	Robert J. Nowlan	News
Vandalia	Mrs. Mike Miller	
Vienna	Royce Bridges	Vienna Times
Waterloo	Herman Dalkert	Times
Watseka	Robert Cooksey	Times
Waukegan	Alex Wilson	News Sun
West Frankfort	W. Henson Purcell	American
Wheaton	Bill Bauler	110 Wesley St.
Winchester	Mrs. J. E. Saffer	
Yorkville	John R. Marshall	Record
Zion	Alex Wilson	2622 Elizabeth

INDIANA CORRESPONDENTS

Alexandria	R. M. Yelvington	Times Tribune
Anderson	Sam Forkner	1401 W. 2nd St.
Attica	W. R. Smith	Democrat
Angola	Lucy Emerson	Herald

EXHIBIT 1—Continued

INDIANA CORRESPONDENTS—Continued

Town	Name of Correspondent	Street Address (if any)
Auburn	Charles Johnson	Auburn Printing Co.
Aurora	Wilfrid Ullrich	403 Main
Bedford	Pere Turner	1808 W. 13 St.
"	Raymond Snapp	Times-Mail
Berne	H. Gross	Witness
Bluffton	Franklin Buckner	News Banner
Boonville	Josephine A. O. Taylor	
Brookville	Marjorie Baker	
Brazil	Ralph Plumb	Times
Bloomington	Robert MacGill	Phi Gamma Delta House
"	Walter McElvain	The Telephone
Brownstown	R. A. Brodhecker	Banner
Brazil	Charles Johnson	20 W. Robinson St.
Butler	A. S. Powers	Herald
Cambridge City	O. S. Peelle	Traveler
Chesterton	W. R. Canright	Tribune
Clinton	Martha Mackie	Clintonian
Crown Point	F. Wheeler	Star
Columbia City	Edwin Meitzler	Post & Commercial Mail
Columbus	Bob Gordon	Evening Republican

[fol. 1830]

Connersville	E. I. Higgs	News Examiner
Corydon	L. F. Rogers	
Covington	Laura Ress Graham	
Culver	W. E. Leland	
Crawfordsville	Russell Hesler	Journal Review
Danville	Vera Hall	Gazette
Decatur	Pete Reynolds	Democrat
Delphi	Jeanne Bailey	Citizen
Dunkirk	C. G. McConnell	News
East Chicago	George Huish	News
Elkhart	Bob Beyer	815 Kilbourn St.
Elwood	D. W. Carlson	Call Leader
English	Mrs. Lelah Austin	
Evansville	Ernest Jones	Press
Fairmont	J. R. Grahl	News
Ft. Wayne	Phil Nicar	c/o Ryan, U. P., Ft. Wayne
Fowler	Richard Stockholm	
Flora	A. L. Moss	Democrat
Frankfort	Robert Starr	Times
Franklin	Boyd Gill	Evening Star
French Lick	W. F. Gruber	Herald
Garrett	C. B. Hamilton	Clipper
Gary	Arnold Coons	Post Tribune
"	Norman Werry	" "
Gas City	W. L. Leach	Journal
Goshen	R. C. Lehman	News Democrat
Greensburg	Kenneth Rinker	Daily News
Greencastle	James B. Zeis	Banner
Greenfield	Charles Walker	Daily Reporter
Hammond	John Whitaker	Times
Hartford City	Nelson C. Townsend	News Times
Huntington	Charles Paul	Herald [illegible]
Jasper	Arthur Wagner	
Jeffersonville	Wallace Blair	Megis & Ohio [illegible]er
Kendallville	Herald Shew	News Sun
Kentland	Ira Dixon	
Knightstown	R. D. Shipman	Banner
Knox	Howard Steele	

[fol. 1831]

EXHIBIT 1—Continued

INDIANA CORRESPONDENTS—Continued

Town	Name of Correspondent	Street Address (if any)
Kokomo	George Wheeler	Tribune
LaPorte	Cy Parker	Herald-Argus
Lafayette	Stewart Wolfe	Station WBAA
LaGrange	Ruth Waddell	207 W. Central
Lebanon	Al Wynkoop	Daily Reporter
Liberty	Daniel Paddock	Herald
Linton	Vance Sappenfield	Citizen
Logansport	Donald Freehafer	Pharos-Tribune
Loogootee	O. M. Harris	Tribune
Madison	John McGuire	Courier
Marion	Charles Callahan	Observer
Martinsville	Wayne Marshall	Reporter
Michigan City	E. Preston Calvert	News-Dispatch
Mishawaka	James Rhodes	Enterprise
Mitchell	Pete Cox	Tribune
Monticello	Mrs. Mabel Overman	Herald Journal
Mt. Vernon	Orvan Hall	Democrat
Muncie	Bob Barnet	Sports, Star
"	Leon Parkinson	Press
"	H. Silverburg	Sports, Press
Napanee	Henry Field	Advance
New Albany	John Faith	Tribune
New Castle	Mrs. Esther Templeton	332½ N. 12th St.
Noblesville	Vern Wicker	Ledger
North Manchester	R. Schmedel	News
North Vernon	Alice Miller Downs	
Notre Dame	Joseph Petritz	Athletic Publicity Director, University of Notre Dame
Nashville	George Allison	
Osgood	Mrs. Mary Bilby	
Oakland City	K. H. Wiggs	Journal
Paoli	Leslie Hickman	
Peru	Tom Walsh	Tribune
Petersburg	D. Montgomery	
Plymouth	Howard Grossman	Pilot
Portland	Raymond Journey	Sun
Rensselaer	H. B. Clark	Republican
Richmond	Ed Kaeuper	535 S. 8th

[fol. 1832]

Rising Sun	H. D. Green	
Rockport	Warren Lindsey	Journal
Rockville	Curtis Hostetter	
Rochester	Rosanna Young	News Sentinel
Rushville	Barton Cartmel	Republican
Princeton	Lester Mahan	Clarion News
Salem	Charles Morris	
Scottsburg	Earl Gravens, Jr.	
Shelbyville	Norman Thurston	Democrat
"	Leo Kinman	Republican
Shoals	John J. Edwards	
Seymour	Mrs. Aline Wesley	401 Emerson Drive
Spencer	Mrs. Helen Kaufman	World
South Bend	Eli Miller	Tribune
" "	Bob Overaker	"
Sullivan	Joe Adams	Times
Tell City	Ben Cummings	News
Terre Haute	M. P. House	Tribune
" "	George Jackson	Station WBOW

EXHIBIT 1—Continued

INDIANA CORRESPONDENTS—Continued

Town	Name of Correspondent	Street Address (if any)
Tipton	Paul Squires	Tribune
Troy	Willard T. Anderson	
Valparaiso	Robert Allett	Vidette-Messenger
Vincennes	A. R. Cochran	Sun-Commercial
Wabash	Jeanne Grover	Plain Dealer
Warsaw	Robert McGlynn	Times & Union
Washington	Ralph I. Burris	Democrat
Whiting	George Jones	Times
Williamsport	Mrs. Ruth Pleasant	Williamsport
Winamac	Mrs. Ralph Curtis	
Winchester	Robert Kist	Journal Herald
Winslow	A. J. Huering	Dispatch

IOWA CORRESPONDENTS

Ackley	G. F. Althouse	Journal
Adel	Scott Snyder	
Akron	R. A. Smith	Register
Albia	R. S. Everett	Union Republican

[fol. 1833]

Algona	E. S. Kinsey	
Allison	Gladys Codner	
Alton	G. E. Bowers	Democrat
Ames	Bob Sprinkle	Tribune
Anamosa	Bess E. Sherman	
Arnolds Park	Hattie Elston	
Atlantic	W. E. Tracy	News Telegraph
Audubon	Mrs. L. H. McClaren	
Bedford	Kenneth Crabb	Taylor County Herald
Belle Plaine	R. O. Burrows	Union
Bellevue	C. R. Byland	
Blenco	N. C. Gray	
Bloomfield	V. G. Lindgren	
Boone	K. S. Goodrich	News Republican
Britt	John Roberts	News Tribune
Brooklyn	L. L. Kinnamon	Chronicle
Burlington	Lowell Fuller	Box 557
Carroll	Ethel Forrest	
Cascade	Harry Martin	
Cedar Falls	Aaron Levine	
Cedar Rapids	Ernest Mickel	1240 Elmhurst Dr.
Centerville	Cy Newbold	
Chariton	John Baldridge	
Charles City	Calvin H. Jones	
Cherokee	Mrs. Harriet Gordon	343 E. Cedar St.
Clarinda	Gerald Bogan	
Clarion	Mrs. J. K. Hilton	
Clarksville	George Evans	Star
Clear Lake	T. F. Farnan	Mirror
Clinton	Mrs. Ethel Murphy	214 Seventh Ave.
Colfax	S. E. Tennant	Tribune
Coon Rapids	Mary Mitchell	
Corning	A. L. Gauthier	Free Press
Council Bluffs	Margaret Tinley	World Herald
Cresco	L. P. Barth	
Creston	Louis Debo	
Davenport	Craig Campbell	Station WOC
Decorah	E. C. Bailey	

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EXHIBIT 1—Continued

IOWA CORRESPONDENTS—Continued

Town	Name of Correspondent	Street (Address if any)
Denison	A. H. Sanders	Bulletin
Dewitt	Mert Sheldstad	Observer
Dubuque	W. A. Kennedy	Telegraph Herald
Eagle Grove	L. W. Worthington	
Eldon	P. J. Metzger	Forum
Eldora	Gladys Ziesman	
Elkader	Merrill R. Smith	
Emmetsburg	Mrs. Allen R. Bailey	
Estherville	J. H. Orvis	
Fairfield	Dean Gabbert	Ledger
Forest City	L. D. Prewitt	
Fort Dodge	L. A. Gifford	Station KVFD
Fort Madison	Harold Funkhouser	Democrat
Garner	Fred C. Missal	
Glenwood	Wayne D. Choate	Opinion Tribune
Gowrie	L. L. Patton	News
Greenfield	Kenneth Kirlin	
Grinnell	Richard P. Pooley	
Grundy Center	Mrs. Rhea Hensley	
Guthrie Center	Cletus Ward	800 Prairie St.
Guttenberg	Charles Milliham	Press
Hamburg	F. W. Hill	Reporter
Hampton	T. W. Purcell	Chronicle
Harlan	Fritz Logeland	
Humboldt	Mrs. Genevieve Savage	
Ida Grove	Mrs. Florence Rauch	
Independence	Frank B. Ireland	
Indianola	Frank Brown	
Iowa City	Loren T. Walsh	N-103 E. Hall
Iowa Falls	E. C. Cassill	Citizen
Jefferson	Will I. Lyon	407 S. Oak St.
Keokuk	Douglas Lamont	Gate City
Keosauqua	Mrs. H. W. Essex	
Knoxville	Mrs. L. A. Gee	2116 Pleasant St.
LeMars	Shirley Rohlfsen	
Leon	Idavee Crouse	
Logan	R. M. McCabe	
Madrid	Tom Lucas	News

[fol. 1835]

Manchester	Clarence Cox	
Manly	Bob Culver	Signal
Maquoketa	Arthur Bowman	1204 E. Platt St.
Marengo	Hattie Crenshaw	
Marion	Jack Papes	Sentinel
Marshalltown	F. L. Van Gilder	503 N. 15th
Mason City	Morgan J. McEnaney	
Melcher	C. W. Bishop	Union
Missouri Valley	Max G. Mandelko	314 N. Third
Montezuma	N. H. Keller	
Mt. Ayr	Mrs. Irene Hood	
Mt. Pleasant	A. M. Patterson	News
Mt. Vernon	Gerald Hill	
Muscatine	Bette Wilton	119 Laurel St.
New Hampton	Mrs. G. T. Murphy	
Newton	Mary Reynolds	County Attorney's office
Northwood	Morris Bakketun	
Oakland	Ed Harrison	Acorn
Oelwein, Ia.	Alberta Ibach	Register

EXHIBIT 1—Continued

IOWA CORRESPONDENTS—Continued

Town	Name of Correspondent	Street Address (if any)
Orange City	A. F. Van Wechel	
Osage	Bess Arsers	Press News
Osceola	F. L. Abbott	
Oskaloosa	DeWayne Foehlinger	Herald
Ottumwa	Harry Colman	Station KBIZ
Pella	Editor	Central Ray
Perry	W. D. Addison	1516 Estella St.
Pocahontas	Florence Schoofs	
Postville	W. J. Klingbeil	Herald
Primghar	I. R. Isenberg	
Randolph	W. F. Estes	
Red Oak	Carroll R. Mitchell	Express
Reinbeck	Art Mosier	Courier
Rockford	Ed. Houd	Register
Rock Rapids	George Raveling	
Rockwell City	Mark Cramer	
Sac City	Charles Hacke	
Sanborn	Oley Devoll	Pioneer
Seymour	Bill Dorr	Herald

[fol. 1836]

Sibley	Ruth Conner	614 Fifth Ave.
Sidney	Mrs. Hugh Jackson	
Sigourney	Mrs. Rosa Shaver	
Sioux City	J. H. Lowry	1813 Isabella St.
Spencer	Roy A. Jarnagin	Times
Spirit Lake	Ora Smith	Beacon
Storm Lake	Kermit Buntrock	Pilot-Tribune
Tipton	G. W. White	
Toledo	Virginia Lichty	
Vinton	Tom Kruse	Times
Wapello	Verne Buster	
Washington	Mrs. Mary Berry	208 E. Washington St.
Waterloo	Annette Lingelbach	1717 W. 3rd St.
Waukon	Leon Henderson	Democrat
Waverly	Leslie Moeller	Waverly Independent
Webster City	H. C. McConaughy	
Winterset	Dale Simmons	

MICHIGAN CORRESPONDENTS

Albion	G. V. Mather	Recorder
Algonac	T. L. Hummel	Courier
Allegan	Katherine Winter	Phone: 123 M
Adrian	F. Robert Saul	124 W. Maple Ave.
Alma	H. M. Dean	632 Wright Ave.
Alpena	Ray McCallum	News
Ann Arbor	Richard Simon	2006 Washtenaw
Bad Axe	Robert Hecox	Tribune
Baldwin	H. W. Davis	
Bangor	H. A. Wood	Advance
Battle Creek	Cecil Munson	195 Fairfield
Bay City	Jo Hegenauer	407 Van Buren St.
Bellaire	W. K. Richards	
Beulah	Andrew Johnson	
Big Rapids	Eldon Hamm	Pioneer
Birmingham	George R. Averill	Eccentric
Bessemer	M. R. Burt	Herald
Blissfield	Mrs. Marion Bradley	
Buchanan	Walt Hawes	Record

[fol. 1837]

EXHIBIT 1—Continued

MICHIGAN CORRESPONDENTS—Continued

Town	Name of Correspondent	Street Address (if any)
Cadillac	M. Van Valkenburgh	News
Calumet	T. J. Martin	Miner
Caro	Don Ellwanger	Postmaster
Charlevoix	Kenneth Usher	Courier
Charlotte	Art Carlson	
Cheboygan	Gordon Turner	Tribune
Chelsea	M. W. McClure	Standard
Clare	Austin E. Bates	
Coldwater	Seton Boyee	Reporter
Crystal Falls	T. D. Conlin	Diamond Drill
Dearborn	H. W. Klamser	News
Detroit	Stanley L. Brink	12255 E. Outer Drive
Dowagiac	W. F. McIlrath	News
Durand	M. B. Gallagher	Express
East Lansing	Virginia Ridgway	1317 W. Grand River
East Tawas	E. M. Otis	Gazette
Escanaba	Kenneth Gunderman	913 S. 15th St.
Flint	Jack Lewin	351 Sheffield
Flushing	W. E. Beebe	Observer
Freemont	D. V. Werp	Times Indicator
Gaylord	Paul MacDonald	Herald Times
Gladwin	Ink White	Record
Grand Haven	Milton E. Burr	518 Franklin St. Phone: 1150
Grand Rapids	Janet Logie	54 Ranson Ave., NE.
Grayling	O. P. Schumann	Avalanche
Greenville	Edith Crosby	News
Hancock	E. M. Laidlaw	808 Franklin St.
Harrisville	E. W. Chapelle	Review
Harbor Beach	C. R. Mizener	Times
Hart	Kieth Dayharsh	Journal
Hastings	Virginia Biard	10 Henderschott Bldg.
Hillsdale	Nick Kerbawy	10 Rippon Ave.
Holland	Louis Wood	Sentinel
Howell	L. B. Merritt	Livingston County Press
Hudson	S. C. Stone	Post
Ionia	J. R. Magney	644 E. Maine St.
Iron Mountain	F. J. Russell	News

[fol. 1838]

Iron River	G. T. Breen	Reporter
Ironwood	H. O. Sonnesyn	Times
Ishpeming	Ted Butler	Phone: 100
Ithaca	R. McCall	Herald
Jackson	Jay F. Fleming	505 Ellery Ave.
Jonesville	J. A. Kaiser	Via W. U.
Kalamazoo	Jack Bell	828 S. Burdick
	Homer Dunham	1350 Hillcrest
Lansing	Ellis Brant	c/o Michigan State College
Lapeer	W. A. Myers	Press
	Lillian Redmond	327 W. Park St.
Ludington	Richard Derrick	News
Manistee	Winston Kuehl	News Advocate
Manistique	Edward Johnson	111 Cedar St.
Marine City	W. A. Robertson	Independent
Marshall	Frank Moses	Chronicle
Midland	Claire Morrill	News
Monroe	William Roeder	Box 153
Mt. Clemens	Edgar Racine	205 Cass

EXHIBIT 1—Continued

MICHIGAN CORRESPONDENTS—Continued

Town	Name of Correspondent	Street Address (if any)
Mt. Pleasant	Lendy Davis	
Munising	Charles Symon	
Muskegon	Eddie Denkema	WKBZ
Newberry	R. L. Fretz	
Niles	E. J. Smith	Star
Norway	L. D. Randall	Current
Otsego	A. E. Towne	Union
Onoway	F. F. Stutzman	News
Owosso	James Dingwell, Jr.	Argus
Petroskey	H. Lee North	News
Port Huron	Stan Smith	WHLS
Reed City	Wallace Blood	State Highway Garage
Roscommon	E. S. Matheson	
Saginaw	Clinton E. Stroebel	117 Storch St.
Sandusky	Esther Laidlaw	
South Haven	Randall Hobart	Tribune
St. Charles	M. B. Steele	Union
St. Ignace	Clarence Dell	Courthouse
St. Johns	S. L. Marshall	Republican News

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St. Joseph	Thomas Ratcliffe	Herald Press
Standish	F. E. Perlberg	Independent
Tawas City	Percy Thornton	
Three Rivers	Harley Shook	Commercial
Traverse City	Jay P. Smith	Record Eagle
West Branch	J. C. Davies	Herald
White Cloud	Marshall R. Bird	
Wyandotte	Clarence Leibelt	News
Ypsilanti	Harry Conn	202 Brower St.

MINNESOTA CORRESPONDENTS

Ada	A. C. Pederson	
Adrian	H. H. Peters	Review
Aitkin	Dorothy Pagel	
Albert Lea	Bob Paulson	KATE
Alexandria	Mrs. Peter Unumb	
Anoka	Mrs. Roe Chase	
Aurora	R. E. Yarick	News
Austin	Joe Paget	KATE
Bagley	Eugene Beltz	
Baudette	W. T. Noonan	
Bayport	S. N. Swisher	Herald
Bemidji	Ruth Ellingson	Pioneer
Benson	J. C. McGowan	
Blue Earth	B. A. Johnson	Post
Brainerd	George Wing	Dispatch
Breckenridge	Charles Miller	Gazette-Telegram
Buffalo	J. P. McDonnell	
Caledonia	Kate Bouquet	
Camby	M. O. Clements	News
Cambridge	L. O. Carlson	
Cannon Falls	D. D. Lewis	Beacon
Carlton	W. H. Hassing	
Cass Lake	G. Butler	Times
Chaska	John C. Sweeney	
Chisholm	C. B. Brown	Tribune
Cloquette	W. D. Snider	Pine Knot
Crookston	M. Taylor	Times

[fol. 1840]

EXHIBIT 1—Continued

MINNESOTA CORRESPONDENTS—Continued

Town	Name of Correspondent	Street Address (if any)
Detroit Lakes	Almeda Krambeal	Record
Duluth	Art Ramberg	Labor World
East Grand Forks	A. F. Cheka	Record
Elbow Lake	V. W. Brenner	
Eveleth	George Wills	News
Fairabault	H. R. Kelly	Journal
Fairmont	Ed Davis	108 S. Main
Fergus Falls	Leona Grinager	837 N. Union
Gaylord	B. F. Borchert	
Glencoe	F. A. Tudhope	Enterprise
Glenwood	G. A. Iverson	
Grand Marais	Adolph Toftey	
Grand Rapids	Mrs. Leo Henderson	
Granite Falls	Mararet E. Rood	Tribune
Hallock	Paul O. Hanson	
Hastings	John Daley	206½ E. 2nd St.
Hopkins	J. L. Markham	Review
Hutchinson	F. E. Bargen	Leader
International Falls	John Parsons	1107 8th St.
Ivanhone	W. N. Johnson	
Jackson	H. B. Johnson	Pilot
Lake City	E. L. Hibbard	Graphic
Lakefield	H. J. Hayden	Standard
LeSueur	Paul East	News
Litchfield	H. J. Peterson	Independent
Little Falls	Roy E. Johnson	
Long Prairie	Carl C. Carlson	
Luverne	Irid Bjerk	Rock County Star
Madison	Alvin Henningsgaard	
Mahnomen	Les Nelson	Pioneer
Mankato	Margie Barker	Station KYSM
Mankato	Orrin Melton	Station KYSM
Marshall	Mrs. Floyd Manguson	
Milaca	A. R. Cravens	
Melrose	C. W. Carlson	
Minneapolis	William Caldwell	Beacon
Montevideo	Ludwig Roe	315 16th Ave., S. E.
Moorhead	Ed Eastman	News
		502 Center Ave.

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Mooselake	H. W. Biscoe	Star
Mora	Henry Rines	
Morris	Arnold Thompson	
New Ulm	Virginia Taylor	
Northfield	Don Brieland	Journal
Olivia	V. B. Pushing	Box 34, Carleton College
Ortonville	L. A. Khercher	
Owatonna	Carol Marx	
Park Rapids	Keith Rogers	Photo News
Pine City	F. P. Gottry	
Preston	A. H. Langum	
Red Lake Falls	Horace Cutten	
Red Wing	Elmer Olson	
Redwood Falls	H. V. Starr	Republican Eagle
Rochester	Don Ranney	Civic & Commerce Assn.
Roseau	Verner Nelson	524 10th St., S. E.
Slayton	J. V. Weber	
St. Cloud	Gloria Reel	Herald
St. Paul	William Krueger	Sentinel
St. Paul	Eunice Page	2252 St. Clair
		2168 Carroll Ave.

EXHIBIT 1—Continued

MINNESOTA CORRESPONDENTS—Continued

Town	Name of Correspondent	Street Address (if any)
St. Peter	Marjorie Haesecke	Herald
Stillwater	Walter Forbes.	Gazette
Thief River Falls	W. E. Dahlquist	Times
Two Harbors	C. M. Hillman	Chronicle
Wabasha	Mrs. Eugene Lund	
Wadena	Etta J. Burnett	
Walker	Harry Lindstrom	Pilot
Warren	O. M. Matteon	
Warroad	Earl Chapin	
Waseca	Donald Brown	Journal
Wheaton	Nels Jahren	Gazette
Willmar	Marie Aspaas	313 W. 8 St.
Windom	Mrs. E. W. Hanson	
Winona	Len McCurnin	KWNO
Worthington	H. L. Refsell	1200 Sixth Ave.
[fol. 1842]		
Ainsworth	T. E. Ritter	
Albion	G. E. Stanford	
Alliance	Hugh Bunnell	Times Herald
Alma	Merrill Northwall	
Arthur	J. R. Gillespie	
Auburn	Ruth Alden	
Aurora	Carl Swanson	
Bartlett	Ruth Pibel	
Bassett	Duwayne Stockwell	
Beatrice	Robert Johnson	Times
Beaver City	Mrs. Wayne Eaton	
Benkelman	L. Wayne Ketler	
Blair	Reed O'Hanlon, Jr.	
Brester	Elmer DeMaury	
Bridgeport	J. T. Cavett	
Broken Bow	George R. Porter	
Butte	C. J. Tomek	
Burwell	Clyde Ilgenfritz	
Center	Edward J. Lenger	
Central City	Bill Barr	
Columbus	Vern Hoyt	Telegram
Chadron	Guy Harmon, Sr.	
Chappell	G. S. LaSalle	
Dakota City	Victor Hansen	
David City	Fred J. Coufal	
Elwood	Cloyd B. Clark	
Fairbury	Clyde R. Moore	
Falls City	James Ramsey	Journal
Grand Island	E. C. Woodward	KMMJ
Franklin	George E. Brewer	
Fremont	L. J. Bible	Tribune
Fullerton	W. R. Kellogg	
Geneva	Tyler Edgecomb	
Grant	Harry L. Dressler	
Greeley	M. V. Curran	Citizen
Harvard	Lisle Hammes	
Harrison	W. E. Mumby	
Hartington	Helga Swanson	
[fol. 1843]		
Hayes Center	Chas. Enyeart	
Hastings	Ed Wilken	Tribune

EXHIBIT 1—Continued

MINNESOTA CORRESPONDENTS—Continued

Town	Name of Correspondent	Street Address (if any)
Imperial	Janet Smith	
Hebron	Bill Long	Register
Holdrege	John Cain	
Hyannis	W. H. Curtis	
Kearney	Joe Hill	c/o Hub
Kimball	Mrs. G. F. Nelson	
Lexington	Mrs. Ruby Hollingsworth	
Loup City	M. R. Beushausen	
McCook	Al C. Wiebel	Gazette
Minden	Charles Smith	
Mullen	G. A. Miller	
Nebraska City	Arthur Sweet	
Neligh	Fred Mitchell	
Nelson	Victor Scherzinger	
Norfolk	Nelson Barth	News
North Platte	C. H. Craig	Bulletin
Ogallala	George R. Hoover	
O'Neill	Elmer J. Bowen	
Ord	Sylvester Furtak	
Oshkosh	W. F. Greenlee	
Papillion	George P. Miller	
Pawnee City	H. D. Flory	
Pender	Darrow Lorenz	
Pierce	A. P. Gottsche	
Polk	Mrs. Glenn Hill	
Plattsmouth	James I. Hall	
Ponca	J. M. Hurley	
Randolph	Helene Joslyn	
Red Cloud	Miss Reece Robinson	
Rushville	Myrtle Harris	
Springview	Roy S. Brookman	
Scottsbluff	Vivian Cain	KGKY
Schuyler	Mrs. M. E. Cunningham	
Seward	C. H. Rhoades	
Sidney	Jarvis Bush	Telegraph
Stanton	Leland Carson	

[fol. 1844]

Stapleton	Rudolph Brown	
St. Paul	John J. H. Bell	
Taylor	H. A. Lyon	
Tecumseh	S. W. Thurber	
Tekamah	Ora Russell	
Thedford	C. T. McMillan	
Trenton	H. A. Gordon	Co. Cl.
Tryon	F. S. Snyder	
Valentine	Luke M. Bates	
Wahoo	William Kaiser	Wasp
Wayne	Mrs. Marie Brittain	
West Point	Mrs. Margaret DeWald	
Wilber	Victor Hoffman	
Wymore	Earl A. Funk	
York	Thomas D. Bourke	News Times

NORTH DAKOTA CORRESPONDENTS

Bismarck	Arnold Strand	State Capitol
Fargo	Millard Dunkirk	Station WDAY
Grafton	J. D. Ellis	443 Cooper Ave.
Grand Forks	Jack Horner	KILO

EXHIBIT 1—Continued

NORTH DAKOTA CORRESPONDENTS—Continued

Town	Name of Correspondent	Street Address (if any)
Jamestown	Fred Orr	Reminder
Minott	Sidney Goldfish	News
Williston	S. Th. Westdal	

SOUTH DAKOTA CORRESPONDENTS

Aberdeen	Alex Johnson	602 S. Arch St.
Brookings	Jerry Boyle	814 Eighth St.
Pierre	Howard C. Anderson	State Publicity Service
Rapid City	Manager	KOBH
Sioux Falls	Merrill Workhoven	KSOO-KELO
Vermillion	Francis Risk	Plain Talk

WISCONSIN CORRESPONDENTS

Adams	Laura Klinefelter	Times
Alma	Theo. Buehler, Jr.	Journal
Antigo	Fred Snyder	524 Fulton St.
Appleton	L. J. Derus	Post Crescent

[fol. 1845]

Arcadia	A. H. Gauger	News Leader
Ashland	John B. Chapple	Daily Press
Balsam Lake	Curtis P. Gaylord	Ledger
Baraboo	M. C. Page	News Republic
Bayfield	W. G. Reque	
Beaver Dam	J. E. Helfert	Citizen
Beloit	Bill Garson	P. O. Box 449
	Harold Hilton	Daily News
Benton	C. M. Vail	Advocate
Berlin	William H. Patey	Journal
Black River Falls	Harriet Noble	B-Journal
Chilton	Mary R. Gallagher	Times
Chippewa Falls	Henry J. Reden	
Crandon	Jack Kronschnabl	Forest County Republican
Darlington	F. B. Goodrich	
Dodgeville	Elizabeth Mitchell	
Durand	Mrs. B. E. Barton	Courier
Eagle River	Joyce Larkin	
Eau Claire	Otto Lund	Evening Telegram
Elkhorn	Leo Dunlap	County Clerk
	P. G. Fenner	Sheriff's Office
	Don Morrisey	Res. Phone: Green 181
Ellsworth	O. A. Halls	Record
Florence	C. O. Youngs	Mining News
Fond du Lac	E. R. Clifford	Box 132
Grantsburg	D. O. Olson	Journal
Green Bay	Don Hickok	Press Gazette
Hayward	Adolph Sandstrom	
Hudson	C. J. Reiter	Star-Observer
Hurley	A. F. Cirilli	Montreal River Miner
Kaukauna	C. J. Hansen	Times
Kenosha	Chester M. Zeff	6021 18th Ave.
Kewaunee	Walter Wessley	
LaCrosse	Jas. Lienlokken	Daily Tribune
Ladysmith	O. Garwood	News
Lancaster	Mrs. Dave Crichton	
Manitowoc	Maurice S. Dailey	Station WOMT
Marinette	Don Wirth	Station WMAM

[fol. 1846]

EXHIBIT 1—Continued

WISCONSIN CORRESPONDENTS—Continued

Town	Name of Correspondent	Street Address (if any)
Marshfield	Floyd Tuchscher	News Herald
Mauston	Norman Suszycki	
Medford	August Roeber	
Menomonie	Tib Rassbach	Dunn Cou y News
Merrill	Joe P. Chilsen	Daily Herald
Monroe	Marie Hamilton	
Neenah	John Studdley	News Times
Neillsville	Robert Harvey	
Oconto	Frank Horak	
"	Martha Horak	
Oshkosh	Henry Kirk	333 S. Park St.
Owen	Gerald B. Smith	
Palmyra	Ken Elwood	Enterprise
Phillips	George R. Foster	Bee
Plymouth	Rex Burnham	Reporter
Portage	Ivan Clyde Lake	Register
Prairie du Chien	Don Honzel	Press
Racine	Sid Kaye	Journal Times
Rhinelander	Earl Morrill	Daily News
Rice Lake	Ralph Young	Chronotype
Richland Center	Russ M. Fogo	Observer
Ripon	Glen Lueck	Rippon College
River Falls	C. E. Clubb	
Shawano	B. F. Heal	Leader
"	Lee Remmel	
Sheboygan	Harry Maier	Daily Press
Shell Lake	Mrs. Mike Shea	Register
Sparta	Nora Magelee	112½ W. Oak St.
Stevens Point	James W. Hull	Daily Journal
Sturgeon Bay	S. J. Harris	Advocate
Superior	Curtis Miller	1419 Ogden Ave.
Tomahawk	R. V. Every	Leader
Two Rivers	S. Althen	Reporter
Wabeno	J. W. Norris	News
Washburn	C. M. Sheridan	Times
Watertown	Ed Byrne	"
"	Joe Toman	"
Waukesha	Hazel Bivins	Daily Freeman

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Waukesha	Sara Bivins	Daily Freeman
"	G. H. Koenig	" "
Waupaca	John Burnham	Post
Waupum	Les Starch	708 Park
Wausau	Don Burt	Station WSAU
Wautoma	H. J. Kent	
West Bend	Mrs. J. J. Huber	News
Whitehall	Mrs. Wilham M. Rogers	
Wittenberg	John Englund	Enterprise
Wis. Rapids	Jas. M. Felker	112 2nd St. South

[fol. 1848] EXHIBIT 2

Ex. 2

United States Daily English-Language Newspapers Served by United Press as of September 30, 1941

		M (Morning) E (Evening) S (Sunday)			Date Became Subscriber
ALABAMA					
Anniston	Star		E		1917
Anniston	Star			S	1917
Birmingham	Post		E		1921
Mobile	Register	M			1933
Mobile	Press		E		1929
Montgomery	Advertiser	M			1940
Montgomery	Advertiser			S	1940
Talladega	Home		E		1941
Gadsden	Tribune		E		1941
ARIZONA					
Phoenix	Republic	M			1927
Phoenix	Gazette		E		1930
Phoenix	Republic			S	1927
Tucson	Citizen		E		1936
Yuma	Sun & Arizona Sentinel		E		1931
ARKANSAS					
Arkadelphia	Siftings Herald		E		1941
Batesville	Guard		E		1934
Blytheville	Courier-News		E		1930
Camden	News		E		1929
El Dorado	Times		E		1928
Forrest City	Times-Herald		E		1941
Fort Smith	S. W. Times-Record		E		1940
Helena	World		E		1941
Harrison	Times		E		1938
Hot Springs	New Era		E		1930
Jonesboro	Tribune		E		1930
Little Rock	Arkansas Democrat			S	1928
De Queen	Bee Citizen		E		1935
Magnolia	Banner-News		E		1941
Mena	Star		E		1933
Newport	Independent		E		1938
Paragould	Press		E		1939
Pine Bluff	Graphic	M			1941
Pine Bluff	Graphic			S	1941
Rogers	News		E		1939
Texarkana	Gazette	M			1939
Wynne	Star Progress		E		1936

[fol. 1849] EXHIBIT 2—Continued

CALIFORNIA		M (Morning) E (Evening) S (Sunday)	Date Became Subscriber
Alameda	Times-Star	E	1916
Ansheim	Bulletin	E	1932
Antioch	Ledger	E	1931
Bakersfield	Californian	E	1925
Berkeley	Gazette	E	1915
Brawley	News	Daily	1936
Burbank	Review	E	1927
Burlingame	Advance	E	1937
Chico	Record	M	1926
Chico	Record	S	1931
Coalinga	Record	E	1920
Colusa	Sun-Herald	E	1929
Corning	Observer	E	1919
Corona	Independent	E	1935
El Centro	Post	M	1939
El Centro	Imperial Val Press	E	1922
El Centro	Post-Press	S	1939
Escondido	Times-Advocate	E	1935
Eureka	Standard	E	1917
Fresno	Bee	E	1922
Fresno	Bee	S	1933
Fullerton	News-Tribune	E	1926
Gilroy	Dispatch	E	1926
Hanford	Journal	M	1934
Hanford	Sentinel	E	1937
Hanford	Journal	S	1934
Hayward	Review	E	1926
Hollister	Free Lance	E	1927
Hollywood	Citizen News	E	1921
Huntington Park	Signal	E	1925
Inglewood	News	E	1923
Lodi	News Sentinel	M	1933
Long Beach	Sun	M	1923
Long Beach	Press Telegram	E	1910
Long Beach	Press Telegram	S	1921
Los Angeles	Herald & Express	E	1927
Los Angeles	Daily News	Daily	1923
Los Angeles	Times	M	1933
Los Angeles	Times	S	1934
Los Angeles	Journal	M	1930
Madera	Tribune & Mercury	E	1910
Martinez	Contra Costa Gazette	E	1920
Merced	Sun-Star	E	1925
Modesto	Bee	E	1911
Monterey	Peninsula Herald	E	1930
Napa	Register	E	1911
Oakland	Post-Enquirer	E	1941
Oceanside	Blade-Tribune	E	1929
Oakland	Tribune	E	1916
Oakland	Tribune	S	1913
Ontario	Report	E	1910
Orange	News	E	1913
Oroville	Mercury-Register	M	1921
Oxnard	Press-Courier	E	1936
Pasadena	Post	M	1927
Pasadena	Star-News	E	1919
Pasadena	Post	S	1927
Pittsburg	Independent	M	1933
Pittsburg	Post-Dispatch	E	1940

[fol. 1850] EXHIBIT 2—Continued

		M (Morning) E (Evening) S (Sunday)	Date Became Subscriber
CALIFORNIA (Continued)			
Pomona	Progress-Bulletin	E	1921
Porterville	Recorder	E	1927
Red Bluff	News	E	1919
Redding	Record & Courier Free Press	E	1941
Redding	Searchlight	M	1937
Redding	Searchlight	S	1937
Redlands	Facts	E	1908
Richmond	Independent	E	1919
Richmond	Record-Herald	M	1928
Richmond	Record-Herald	S	1928
Riverside	Enterprise	M	1930
Riverside	Press	E	1936
Riverside	Enterprise	S	1930
Roseville	Press	E	1939
Sacramento	Bee	E	1925
Salinas	Index-Journal	E	1915
Salinas	Post	M	1934
Salinas	Post	S	1934
San Bernardino	Sun	M	1926
San Bernardino	Telegram	E	1915
San Bernardino	Sun	S	1926
San Diego	Union	M	1939
San Diego	Tribune-Sun	E	1939
San Diego	Union	S	1939
San Francisco	Commercial News	M	1940
San Francisco	Wall Street Journal	M	1933
San Jose	News	E	1916
San Francisco	Chronicle	M	1935
San Francisco	Chronicle	S	1935
San Francisco	News	E	1911
San Luis Obispo	Telegram-Tribune	E	1924
San Mateo	Times	E	1927
San Rafael	Independent	E	1927
Santa Ana	Register	E	1908
Santa Cruz	Sentinel-News	E	1929
Santa Maria	Times	E	1920
Santa Monica	Outlook	E	1928
Santa Paula	Chronicle	E	1926
Santa Rosa	Press-Democrat	M	1930
Santa Rosa	Republican	E	1911
Santa Rosa	Press-Democrat	S	1930
Stockton	Record	E	1913
Tulare	Advance-Register	E	1941
Turlock	Journal	E	1919
Vallejo	Times-Herald	M	1936
Vallejo	Chronicle	E	1911
Vallejo	Times-Herald	S	1926
Ventura	Star-Free Press	E	1925
Visalia	Times-Delta	E	1915
Watsonville	Sun	M	1940
Watsonville	Register-Pajaronian	E	1910
Watsonville	Sun	S	1940
Whittier	News	E	1919
Willows	Journal	E	1915
Wilmington	Press	E	1930
Yreka	Siskiyou News	E	1930

[fol. 1851] EXHIBIT 2—Continued

		M (Morning) E (Evening) S (Sunday)	Date Became Subscriber
CALIFORNIA (continued)			
Yuba City-Marysville	Appeal Democrat	E	1916
Fresno	Morning Bee	M	1933
Modesto	Bee	M	1925
Modesto	Bee	S	1925
Placerville	Republican	E	1924
COLORADO			
Alamosa	Courier	E	1933
Canon City	Record	E	1910
Colorado Springs	Telegraph	E	1918
Denver	Post	E	1928
Denver	Post	S	1929
Denver	Rocky Mountain News	M	1926
Denver	Rocky Mountain News	S	1926
Durango	Herald-Democrat	E	1912
La Junta	Democrat	E	1919
Lamar	News	E	1920
Loveland	Reporter-Herald	E	1924
Montrose	Press	E	1912
Pueblo	Chieftain	M	1940
Pueblo	Star-Journal	E	1913
Pueblo	Star-Journal & Chief	S	1917
Salida	Mail	E	1936
Trinidad	Light	M	1939
Walsenburg	World Independent	E	1940
CONNECTICUT			
Bridgeport	Herald	S	1940
Greenwich	Time	E	1932
Hartford	Times	E	1924
Middletown	Press	E	1933
Naugatuck	News	E	1941
New Britain	Herald	E	1927
Waterbury	Democrat	E	1919
Winsted	Citizen	E	1936
DELAWARE			
Wilmington	News	M	1937
Wilmington	Journal	E	1937
Wilmington	Star	S	1918
DISTRICT OF COLUMBIA			
Washington	News	E	1921
Washington	Post	M	1931
Washington	Post	S	1931
Washington	Times Herald	Daily	1929
Washington	Times Herald	S	1929

[fol. 1852] EXHIBIT 2—Continued

		M (Morning) E (Evening) S (Sunday)			Date Became Subscriber
FLORIDA					
Daytona Beach	Sun Record		E		1931
Daytona Beach	Sun Record			S	1931
Deland	Sun-News		E		1931
Fort Lauderdale	Times	M			1940
Jacksonville	Florida Times Union	M			1931
Jacksonville	Florida Times Union			S	1931
Lake Worth	Leader		E		1938
Miami	Herald	M			1924
Miami	Herald			S	1924
Miami	Miami News		E		1934
Miami	Miami News			S	1925
Ocala	Banner	M		S	1930
Orlando	Sentinel	M			1934
Orlando	Reporter-Star		E		1937
St. Petersburg	Times	M			1939
St. Petersburg	Times			S	1939
Tampa	Tribune	M			1934
Tampa	Tribune			S	1934
GEORGIA					
Americus	Times-Recorder		E		1929
Atlanta	Constitution	M			1920
Atlanta	Constitution			S	1920
Atlanta	Journal		E		1922
Atlanta	Journal			S	1922
Dublin	Courier Herald		E		1929
Griffin	News		E		1941
LaGrange	News		E		1929
Marietta	Journal		E		1935
Milledgeville	Times		E		1940
Savannah	News	M			1931
Savannah	Press		E		1931
Savannah	News			S	1936
Waycross	Journal Herald		E		1941
Waycross	Journal Herald			S	1941
IDAHO					
Blackfoot	Bulletin		E		1941
Boise	Capital News		E		1911
Coeur d'Alene	Press		E		1925

[fol. 1853] EXHIBIT 2—Continued

		M (Morning) E (Evening) S (Sunday)	Date Became Subscriber
IDAHO (continued)			
Idaho Falls	Post Register	M	1931
Idaho Falls	Post Register	E	1931
Idaho Falls	Post Register	S	1931
Moscow	Odahonian	E	1934
Nampa	Free Press	E	1925
Twin Falls	Times	E	1920
ILLINOIS			
Beardstown	Illinoian Star	E	1915
Belleville	News Democrat	E	1927
Belevidere	Republican	E	1935
Bloomington	Pantagraph	E	1927
Casey	Reporter	E	1939
Champaign-Urbana	News Gasette	E	1923
Charleston	Courier	E	1929
Chicago	Journal of Commerce	M	1933
Chicago	News	E	1929
Chicago	Times	E	1932
Chicago	Times	S	1932
Clinton	Journal Public	M	1932
Danville	Commercial News	E	1938
DeKalb	Chronicle	E	1914
Duquoin	Call	E	1936
East St. Louis	Journal	E	1941
East St. Louis	Journal	S	1941
Edwardsville	Intelligencer	E	1915
Freeport	Journal Standard	E	1917
Galesburg	Register Mail	E	1912
Harrisburg	Register	E	1915
Herrin	Journal	E	1940
Hoopeston	Chronicle Herald	E	1917
Kankakee	Republican News	E	1933
Lawrenceville	Record	E	1940
Lewistown	Record	E	1921
Litchfield	News Herald	E	1915
Marion	Post	E	1935
Morris	Herald	E	1932
Mt. Carmel	Republican Register	E	1915
Murphysboro	Independent	E	1926
Paris	Beacon News	E	1921
Pekin	Times	E	1923
Peoria	Journal Transcript	M	1935
Peoria	Star	E	1912
Peoria	Star	S	1907
Pontiac	Leader	E	1912
Robinson	News	E	1923
Rockford	Star	M	1929
Rockford	Register Republic	E	1929
Rockford	Star	S	1929
Moline & Rock Island	Argus Dispatch	E	1935
Savanhah	Times Journal	E	1923
Shelbyville	Union	E	1917
Springfield	Register	E	1936
Springfield	Register	S	1937
Watseka	Iroquois County Times	E	1937

[fol. 1854] EXHIBIT 2—Continued

		M (Morning) E (Evening) S (Sunday)	Date Became Subscriber
ILLINOIS (continued)			
Waukegan	News Sun	E	1937
West Frankfort	American	E	1932
Evanston	News Index	E	1932
Evanston	News Index	S	1939
INDIANA			
Alexandria	Times Tribune	E	1934
Auburn	Star	E	1917
Bedford	Mail	E	1938
Bluffton	News Banner	E	1930
Brazil	Times	E	1938
Clinton	Clintonian	E	1936
Columbia City	Commercial Mail	E	1931
Columbia City	Post	E	1931
Columbus	Republican	E	1935
Decatur	Democrat	E	1909
Elkhart	Truth	E	1923
Elwood	Call Leader	E	1931
Evansville	Press	E	1913
Evansville	Courier Press	S	1925
Fort Wayne	Journal Gazette	M	1924
Fort Wayne	Journal Gazette	S	1924
Fort Wayne	News Sentinel	E	1915
Gary	Post Tribune	E	1919
Goshen	News Democrat	E	1922
Greencastle	Banner	E	1916
Hammond	Times	E	1926
Hammond	Times	S	1937
Hartford City	News Times	E	1941
Huntington	Herald Press	E	1940
Huntington	Herald Press	S	1941
Indianapolis	News	E	1907
Indianapolis	Star	M	1931
Indianapolis	Star	S	1931
Indianapolis	Times	E	1916
Kendallville	News Sun	E	1916
Kokomo	Tribune	E	1932
Lafayette	Journal and Courier	E	1937
La Porte	Herald Argus	E	1929
Lebanon	Reporter	E	1940
Linton	Citizen	E	1925
Logansport	Pharos Tribune	E	1930
Marion	Leader Tribune	M	1940
Marion	Chronicle Tribune	S	1940
Martinsville	Reporter	E	1916
Michigan City	News Dispatch	E	1919
Monticello	Herald Journal	E	1937
Mt. Vernon	Democrat	E	1925
Peru	Tribune	E	1931
Plymouth	Pilot	E	1922
Portland	Commercial Review	E	1935
Portland	Sun	E	1935
Princeton	Clarion News	E	1922
Princeton	Democrat	E	1922

[fol. 1855] EXHIBIT 2—Continued

		M (Morning) E (Evening) S (Sunday)	Date Became Subscriber
INDIANA (continued)			
Shelbyville	Republican	M	1938
South Bend	Tribune	E	1933
South Bend	Tribune	S	1933
Sullivan	Times	E	1925
Terre Haute	Star	M	1932
Terre Haute	Tribune	E	1931
Terre Haute	Tribune & Star	S	1911
Tipton	Tribune	E	1932
Union City	Times Gazette	M	1940
Valparaiso	Vidette Messenger	E	1925
Wabash	Plain Dealer	E	1931
Warsaw	Times	E	1914
Winchester	Journal Herald	M	1940
Winchester	News	M	1940
OWA			
Ames	Tribune	E	1926
Boone	News Republican	E	1934
Burlington	Hawk Eye Gazette	E	1933
Cedar Rapids	Gazette	E	1909
Cedar Rapids	Gazette	S	1922
Charles City	Press	E	1914
Clinton	Herald	E	1914
Davenport	Democrat & Leader	E	1935
Davenport	Sunday Democrat	S	1935
Davenport	Times	E	1931
Des Moines	Register	M	1921
Des Moines	Tribune	E	1924
Des Moines	Register	S	1921
Dubuque	Telegraph Herald	E	1927
Fairfield	Ledger	E	1935
Fort Madison	Democrat	E	1928
Keokuk	Gate City & Constitution Democrat	E	1940
Mason City	Globe Gazette	E	1922
Oelwein	Register	E	1915
Oskaloosa	Herald	E	1909
Sioux City	Tribune	M	1926
Waterloo	Courier	E	1920
Waterloo	Courier	S	1931
Shenandoah	Sentinel	E	1939
Washington	Journal	E	1939

[fol. 1856] EXHIBIT 2—Continued

		M (Morning) E (Evening) S (Sunday)	Date Became Subscriber
KANSAS			
Abilene	Chronicle	M	1935
Abilene	Chronicle	S	1935
Fort Scott	Herald	E	1939
Kansas City	Kansan	E	1921
Kansas City	Kansan	S	1921
Liberal	Southwest Times	E	1936
Wichita	Beacon	S	1930
Wichita	Eagle	E	1926
KENTUCKY			
Ashland	Independent	E	1931
Ashland	Independent	S	1931
Glasgow	News	E	1940
Lexington	Herald	M	1936
Louisville	Courier Journal	M	1928
Louisville	Times	E	1929
Louisville	Courier Journal	S	1933
Middlesboro	News	E	1927
Paducah	Sun Democrat	E	1931
LOUISIANA			
Baton Rouge	State Times	E	1930
Houma	Courier	E	1939
New Orleans	Item	E	1920
New Orleans	Times Picayune States	S	1918
Opelousas	World	E	1939
Opelousas	World	S	1939
Ruston	Leader	E	1937
Shreveport	Times	M	1933
Shreveport	Times	S	1934
MAINE			
Portland	Press Herald	M	1933
Portland	Evening Express	E	1933
Portland	Sunday Telegram	S	1933
MARYLAND			
Baltimore	News Post	E	1941

[fol. 1857] EXHIBIT 2—Continued

		M (Morning) E (Evening) S (Sunday)	Date Became Subscriber
MASSACHUSETTS			
Boston	Globe	M	1938
Boston	Globe	E	1939
Boston	Herald	M	1934
Boston	Traveler	E	1926
Boston	Post	M	1920
Boston	Post	S	1923
Brockton	Enterprise & Times	E	1907
Cape Cod Hyannis	Standard Times	E	1936
Fall River	Herald News	E	1920
Holyoke	Transcript Telegram	E	1907
Lawrence	Tribune	E	1936
Lowell	Sun & Citizen Leader	E	1941
Lynn	Telegram News	E	1939
Lynn	Telegram News	S	1939
Marlboro	Enterprise	E	1936
New Bedford	Standard Times	E	1927
Pittsfield	Berkshire Eagle	E	1937
Quincy	Patriot Ledger	E	1937
Southbridge	News	E	1931
Springfield	News	E	1907
Waltham	News Tribune	E	1923
Worcester	Gazette	E	1935
Everett	News Gazette	E	1942
MICHIGAN			
Albion	Recorder	E	1917
Alpena	News	E	1928
Ann Arbor	News	E	1932
Battle Creek	Enquirer & News	E	1940
Battle Creek	Enquirer & News	S	1940
Bay City	Times	E	1932
Bay City	Times	S	1935
Big Rapids	Pioneer	E	1928
Cadilac	News	E	1909
Cheboygan	Tribune	E	1922
Coldwater	Reporter	E	1919
Detroit	Free Press	M	1922
Detroit	Free Press	S	1922
Detroit	News	E	1914
Detroit	News	S	1916
Dowagiac	News	E	1916
Flint	Journal	E	1921
Flint	Journal	S	1935
Grand Rapids	Press	E	1914
Greenville	News	E	1924
Holland	Sentinel	E	1928
Jackson	Citizen Patriot	E	1932
Jackson	Citizen Patriot	S	1935
Kalamazoo	Gazette	E	1921
Kalamazoo	Gazette	S	1935
Lansing	State Journal	E	1932
Lansing	State Journal	S	1937

[fol. 1858] EXHIBIT 2—Continued

		M (Morning) E (Evening) S (Sunday)		Date Became Subscriber
MICHIGAN (continued)				
Manistee	News Advocate	E		1917
Marshall	Chronicle	E		1912
Midland	News	E		1931
Mt. Clemens	Leader	E		1911
Muskegon	Chronicle	E		1932
Petoskey	News	E		1917
Pontiac	Press	E		1927
Port Huron	Times Herald	E		1937
Royal Oak	Tribune	E		1933
Saginaw	News	E		1932
Saginaw	News		S	1935
South Haven	Tribune	E		1926
Sturgis	Journal	E		1921
Three Rivers	Commercial	E		1917
Traverse City	Record Eagle	E		1911
Ypsilanti	Press	E		1915
MINNESOTA				
Brainard	Dispatch	E		1915
Duluth	Herald	E		1930
Minneapolis	Tribune	M		1941
Minneapolis	Star Journal	E		1928
Minneapolis	Tribune & Star Journal		S	1939
Moorhead	News	E		1916
New Ulm	Journal	E		1939
Red Wing	Republican Eagle	E		1926
Rochester	Post Bulletin	E		1919
St. Cloud	Times	E		1935
St. Paul	Pioneer Press	M		1933
St. Paul	Dispatch	E		1933
So. St. Paul	Reporter	E		1933
Stillwater	Gazette	E		1916
Winona	Republican Herald	E		1940
MISSISSIPPI				
Greenville	Delta Democrat Times	E		1938
Grenada	Star	E		1936
Jackson	News	E		1941
Jackson	News		S	1912
McComb	Journal	E		1935
Meridian	Star	E		1927
Meridian	Star		S	1938
Tupelo	Journal	M		1936

[fol. 1859] EXHIBIT 2—Continued

		M (Morning) E (Evening) S (Sunday)	Date Became Subscriber
MISSOURI			
Brookfield	Argus	E	1928
Cape Girardeau	Southeast Missourian	E	1920
Carthage	Democrat	M	1939
Carthage	Democrat	S	1939
Columbia	Missourian	E	1918
Excelsior Springs	Standard	E	1924
Independence	Examiner	E	1920
Jefferson City	Post Tribune	E	1930
Kirksville	Express News	E	1915
Kirksville	Express News	S	1923
Lexington	Advertiser News	E	1935
Mexico	Ledger	E	1923
Neosho	Democrat	E	1941
Rolla	New Era	E	1939
St. Joseph	News Press	E	1929
St. Louis	Star Times	E	1916
Springfield	News	M	1933
Springfield	Leader & Press	E	1929
Springfield	News & Laeder	S	1932
Warrensburg	Star Journal	E	1925
Kansas City	Journal	E	1920
MONTANA			
Billings	Gazette	M	1929
Billings	Gazette	E	1929
Billings	Gazette	S	1929
Butte	Montana Standard	M	1929
Butte	Montana Post	E	1929
Butte	Montana Standard	S	1929
Great Falls	Tribune	M	1929
Great Falls	Leader	E	1928
Great Falls	Tribune	S	1929
Havre	News	M	1933
Havre	News	S	1936
NEBRASKA			
Fremont	Tribune	E	1920
Columbus	Telegram	E	1922
Falls City	Journal	E	1922
Hastings	Tribune	E	1910
Kearney	Hub	E	1937
Lincoln	Journal	E	1909
Lincoln	Journal & Star	S	1933
McCook	Gazette	E	1924
Nebraska City	News Press	E	1921
Nebraska City	News Press	S	1926
Kearney	Daily News	M	1941

[fol. 1860] EXHIBIT 2—Continued

		M (Morning) E (Evening) S (Sunday)	Date Became Subscriber
NEBRASKA (continued)			
North Platte	Bulletin	M	1937
Omaha	World Herald	M	1937
Omaha	World Herald	E	1934
Omaha	World Herald	S	1937
Plattsmouth	Journal	E	1937
York	News Times	E	1925
NEVADA			
Carson City	Appeal	E	1930
Elko	Free Press	E	1930
Ely	Times	E	1920
Las Vegas	Review Journal	E	1926
Reno	Nevada State Journal	M	1931
Reno	Nevada State Journal	S	1931
Tonapah	Times Bonanza	E	1930
Winnemucca	Humboldt Star	E	1925
NEW JERSEY			
Atlantic City	World	M	1935
Camden	Post	M	1926
Camden	Courier	E	1926
Elizabeth	Journal	E	1922
Hoboken	Jersey Observer	E	1911
Newark	News	E	1907
Newark	Star Ledger	M	1935
Newark	Star Ledger	S	1935
Passaic	Herald News	E	1923
Paterson	News	E	1930
Red Bank	Standard	E	1939
Trenton	State Gazette	M	1936
Trenton	Times	E	1907
Trenton	Times Advertiser	S	1907
Woodbury	Times	E	1940
NEW MEXICO			
Albuquerque	Tribune	E	1923
Portales	News	E	1938
Roswell	Record	S	1941
Santa Fe	New Mexican	E	1936

[fol. 1861] EXHIBIT 2—Continued

		M (Morning) R (Evening) S (Sunday)	Date Became Subscriber
NEW YORK			
Albany	Knickerbocker News	E	1922
Auburn	Citizen Advertiser	E	1931
Beacon	News	E	1923
Binghamton	Press	E	1919
Buffalo	Courier Express	M	1941
Buffalo	Courier Express	S	1941
Buffalo	News	E	1911
Catskill	Mail	E	1931
Cohoes	American	E	1935
Dunkirk	Observer	E	1907
Elmira	Star Gazette	E	1937
Elmira	Sunday Telegram	S	1937
Hempstead	News Day	E	1940
Herkimer	Telegram	E	1910
Hudson	Star	M	1907
Kingston	Leader	M	1929
Middletown	Times Herald	E	1922
Newburgh	News	E	1907
Bronx Boro	Home News	E	1928
Bronx Boro	Home News	S	1928
Brooklyn Boro	Citizen	E	1907
Brooklyn Boro	Eagle	E	1936
Brooklyn Boro	Eagle	S	1936
New York City	Herald Tribune	M	1928
New York City	Herald Tribune	S	1929
New York City	Journal American	E	1940
New York City	Mirror	M	1933
New York City	Mirror	S	1933
New York City	News	M	1919
New York City	News	S	1921
New York City	Post	E	1936
New York City	Times	M	1939
New York City	Times	S	1939
New York City	World Telegram	E	1919
Queens Boro-Jamaica	Long Island Press	E (Saturday)	1926
Long Island City	Long Is. Star Journal	E	1940
Staten Island	Advance	E	1930
Niagara Falls	Gazette	E	1937
New York City	Journal of Commerce	M	1934
New York City	Morning Telegraph	M	1923
New York City	Morning Telegraph	S	1925
New York City	PM	E	1940
New York City	PM	S	1940
New York City	Wall St. Journal	M	1918
North Tonawanda	News	E	1924
Ogdensburg	Advance News	S	1940
Olean	Times Herald	E	1930
Oneida	Dispatch	E	1926
Oswego	Palladium Times	E	1907
Plattsburg	Republican	M	1921
Poughkeepsie	Hudson Valley Sunday Courier	S	1933
Rochester	Democrat & Chronicle	M	1932
Rochester	Times Union	E	1907
Rochester	Democrat & Chronicle	S	1932

[fol. 1862] EXHIBIT 2—Continued

		M (Morning) E (Evening) S (Sunday)	Date Became Subscriber
NEW YORK (continued)			
Schenectady	Gazette	M	1936
Schenectady	Union Star	E	1914
Syracuse	Herald Journal	E	1927
Syracuse	Herald American	S	1926
Troy	Times Record	E	1935
Troy	Observer & Budget	S	1932
Watertown	Times	E	1926
Utica	Observer Dispatch	E	1939
New York	Sunday Enquirer	S	1929
NORTH CAROLINA			
Asheville	Citizen	M	1936
Asheville	Times	E	1917
Asheville	Citizen Times	S	1916
Concord	Tribune	S	1935
Durham	Sun	E	1940
Greenville	News Leader	M	1940
Greenville	News Leader	S	1940
Hendersonville	Times News	E	1925
Kinston	Free Press	E	1914
Raleigh	News & Observer	M	1928
Raleigh	News & Observer	S	1928
Reidsville	Review	E	1934
Statesville	Record	E	1939
Winston Salem	Journal	M	1931
Winston Salem	Twin City Sentinel	E	1926
Winston Salem	Journal Sentinel	S	1926
NORTH DAKOTA			
Fargo	Forum	E	1937
OHIO			
Akron	Beacon Journal	E	1938
Akron	Beacon Journal	S	1938
Ashland	Times Gazette	E	1939
Ashtabula	Star Beacon	E	1922
Bellaire	Leader	E	1921
Bellevue	Gazette	E	1917
Bucyrus	Telegraph Forum	E	1933
Cambridge	Jeffersonian	E	1917
Canton	Repository	E	1930
Canton	Repository	S	1930

[fol. 1863] EXHIBIT 2—Continued

OHIO (continued)		M (Morning) E (Evening) S (Sunday)	Date Became Subscriber
Celina	Standard	E	1928
Chillicothe	News Advertiser	M	1909
Chillicothe	Ohioan	S	1939
Cincinnati	Enquirer	M	1930
Cincinnati	Enquirer	S	1930
Cincinnati	Post	E	1913
Cleveland	Plain Dealer	M	1934
Cleveland	Plain Dealer	S	1917
Cleveland	Press	E	1907
Columbus	Citizen	E	1913
Columbus	Citizen	S	1938
Conneaut	News Herald	E	1928
Coshocton	Tribune Times Age	E	1934
Coshocton	Tribune Times Age	S	1934
Dayton	Journal	M	1930
Dayton	Herald	E	1914
Dayton	News	S	1913
Delaware	Gazette	E	1936
Delphos	Herald	E	1934
E. Liverpool	Review	E	1930
E. Palestine	Leader	E	1933
Elyria	Chronicle Telegram	E	1927
Findlay	Republic Courier	M	1933
Fostoria	Review	E	1917
Fremont	News Messenger	E	1939
Galion	Inquirer	E	1931
Gallipolis	Tribune	E	1936
Greenville	Advocate	E	1927
Ironton	Tribune	E	1930
Ironton	Tribune	S	1930
Kenton	Democrat	E	1923
Lancaster	Eagle Gazette	E	1919
Lima	News	E	1936
Lorain	Journal & Times Herald	E	1931
Mansfield	News Journal	E	1926
Marietta	Times	E	1931
Marion	Star	E	1930
Marysville	Tribune	E	1931
Middletown	Journal	E	1925
Newark	Advocate	E	1937
Niles	Times	E	1931
Norwalk	Reflector Herald	E	1931
Painesville	Telegraph	E	1916
Piqua	Call	E	1938
Portsmouth	Times	E	1930
Portsmouth	Times	S	1930
Ravenna	Record	E	1931
Salem	News	E	1930
Sandusky	Register Star News	E	1910
Springfield	Sun	M	1931
Springfield	News	E	1931
Springfield	News Sun	S	1931
Steubenville	Herald Star	E	1930
Tiffin	Advertiser Tribune	E	1917

[fol. 1864] EXHIBIT 2—Continued

		M (Morning) E (Evening) S (Sunday)	Date Became Subscriber
OHIO (continued)			
Toledo	Blade	E	1938
Troy	News	E	1918
Wapakoneta	News	E	1921
Xenia	Gazette	E	1932
Youngstown	Vindicator & Telegram	E	1936
Youngstown	Vindicator & Telegram	S	1936
Zanesville	Signal	E	1939
Zanesville	Sunday Times Signal	S	1939
OKLAHOMA			
Ada	News	E	1930
Altus	Times Democrat	E	1927
Altus	Times Democrat	S	1930
Alva	Review Courier	E	1922
Alva	Review Courier	S	194–
Anadarko	News	E	19—
Anadarko	News	S	1937
Blackwell	Journal Tribune	E	1941
Blackwell	Journal Tribune	S	1941
Chickasha	Express	E	1934
Clinton	News	E	1928
Clinton	News	S	1932
Cushing	Citizen	E	1922
Cushing	Citizen	S	1932
Duncan	Banner	E	1928
Duncan	Banner	S	1928
Durant	Democrat	E	1914
Durant	Democrat	S	1938
Elk City	News	E	1929
Elk City	News	S	1929
El Reno	Tribune	E	1920
Enid	News	M	1929
Enid	Eagle	E	1924
Enid	News	S	1929
Frederick	Leader	E	1922
Henryetta	Free Lance	E	1939
Henryetta	Free Lance	S	1935
Hobart	Democrat Chief	E	1927
Hobart	Democrat Chief	S	1936
Holdenville	News	E	1927
Holdenville	News	S	1913
Hugo	News	E	1938
Hugo	News	S	1938
Lawton	Constitution	E	1916
Lawton	Constitution	S	1921
Muskogee	Phoenix	M	1919
Muskogee	Phoenix	S	1924
Norman	Transcript	E	1924
Okemah	Leader	E	1925
Okemah	Leader	S	1936
Oklahoma City	Times	E	1939
Oklahoma City	Oklahoman	S	1939

[fol. 1865] EXHIBIT 2—Continued

		M (Morning) E (Evening) S (Sunday)	Date Became Subscriber
OKLAHOMA (continued)			
Pawhuska	Journal Capital	E	1929
Pawkuska	Journal Capital	S	1940
Perry	Journal	E	1933
Sapulpa	Herald	E	1916
Sayre	Headlight Journal	E	1934
Seminole	Producer	E	1927
Stillwater	News Press	E	1928
Stillwater	News Press	S	1937
Sulphur	News	E	1940
Sulphur	News	S	1941
Tulsa	Tribune	E	1916
Tulsa	World	S	1941
Vinita	Journal	E	1939
Wewoka	Times Democrat	E	1937
Wewoka	Times Democrat	S	1937
Woodward	Press	E	1928
Drumright	Derrick	E	1939
Mangum	Star	E	1937
Mangum	Star	S	1937
OREGON			
Albany	Democrat Herald	E	1913
Ashland	Tidings	E	1926
Astoria	Astorian Budget	E	1912
Bend	Bulletin	E	1916
Eugene	Register Guard	E	1912
Eugene	Register Guard	S	1912
Klamath Falls	News	M	1924
Klamath Falls	News	S	1924
LaGrande	Observer	E	1938
Marshfield & North Bend	Coos Bay Times	E	1930
Medford	Mail Tribune	E	1940
Medford	Mail Tribune	S	1940
Oregon City	Enterprise	M	1926
Portland	Oregon Journal	E	1913
Portland	Oregon Journal	S	1907
Salem	Capital Journal	E	1927
The Dallas	Chronicle	E	1913
PENNSYLVANIA			
Allentown	Call	M	1937
Allentown	Chronicle	E	1907
Altoona	Mirror	E	1922
Ambridge	Citizen	E	1939
Ashland	News	E	1926
Beaver-Rochester	Times	E	1923
Berwick	Enterprise	E	1917
Bradford	Star Record	E	1939
Bradford	Sunday Herald	S	1939

[fol. 1866] EXHIBIT 2—Continued

		M (Morning) E (Evening) S (Sunday)	Date Became Subscriber
PENNSYLVANIA (continued)			
Butler	Eagle	E	1913
Canonsburg	Notes	E	1931
Carlisle	Sentinel	E	1917
Charleroi	Mail	E	1940
Chester	Times	E	1913
Columbia	News	E	1940
Connellsville	Courier	E	1923
Danville	News	M	1925
DuBois	Courier	M	1927
DuBois	Express	E	1927
Easton	Express	E	1922
Erie	Times	E	1926
Franklin	News Herald	E	1918
Greensburg	Tribune	E	1917
Harrisburg	Patriot	M	1922
Harrisburg	News	E	1917
Homestead	Messenger	E	1935
Huntingdon	News	E	1930
Jeannette	News Dispatch	E	1934
Jersey Shore	Herald	E	1933
Johnstown	Democrat	M	1907
Johnstown	Tribune	E	1907
Kittanning	Simpsons Leader Times	E	1938
Lancaster	New Era	E	1921
Latrobe	Bulletin	E	1914
McKeesport	News	E	1907
Mahonoy City	Record American	E	1914
Milton	Standard	E	1914
Monessen	Independent	E	1919
Monongahela	Republican	E	1934
Mt. Carmel	Item	E	1914
New Kensington	Dispatch	E	1922
Norristown	Times Herald	E	1936
Philadelphia	Inquirer	M	1936
Philadelphia	Inquirer	S	1936
Philadelphia	News	E	1925
Philadelphia	Record	M	1928
Philadelphia	Record	S	1928
Pittsburgh	Post Gazette	M	1919
Pittsburgh	Press	E	1907
Pittsburgh	Press	S	1924
Pittston	Gazette	E	1909
Pottsville	Journal	E	1912
Reading	Times	M	1940
Reading	Eagle	E	1934
Reading	Eagle	S	1940
Sayre	Times	E	1920
Scranton	Scrantonian	S	1934
Scranton	Times	E	1932
Scranton	Tribune	M	1939
Shamokin	News Dispatch	E	1914
Sharon	Herald	E	1924
Shenandoah	Herald	E	1914
State College-Bellafontaine	Centre Times	E	1934
Sunbury	Daily Item	E	1914
Tamaqua	Courier	E	1915
Tarentum	Valley News	E	1934

fol. 1867] EXHIBIT 2—Continued

		M (Morning) E (Evening) S (Sunday)	Date Became Subscriber
PENNSYLVANIA (continued)			
Uniontown	Standard	E	1907
Washington	Reporter	E	1914
Westchester	Local News	E	1940
Wilkes Barre	Sunday Independent	S	1939
Williamsport	Sun	E	1932
Williamsport	Grit	S	1941
Philadelphia	Public Ledger	E	1934
RHODE ISLAND			
Pawtucket	Times	E	1926
Providence	Bulletin	E	1928
Providence	Journal	M	1928
Providence	Journal	S	1928
SOUTH CAROLINA			
Charleston	News & Courier	M	1931
Charleston	News & Courier	S	1931
Charleston	Post	E	1936
Greenville	News	M	1940
Greenville	News	S	1934
Greenville	Piedmont	E	1930
Florence	Star	E	1939
SOUTH DAKOTA			
Madison	Leader	E	1928
Pierre	Dakotan	E	1924
Redfield	Journal Observer	E	1936
TENNESSEE			
Athens	Post Athenian	E	1931
Chattanooga	News Free Press	E	1939
Chattanooga	News Free Press	S	1939
Clarksville	Leaf Chronicle	E	1939
Cleveland	Banner	E	1931
Columbia	Herald	E	1941
Jackson	Sun	E	1941
Jackson	Sun	S	1941
Johnson City	Times	M	1939
Johnson City	Times	S	1939
Kingsport	Times	E	1940
Kingsport	Times	S	1940
Knoxville	News & Sentinel	E	1921
Knoxville	News & Sentinel	S	1926
Memphis	Commercial Appeal	M	1928

[fol. 1868] EXHIBIT 2—Continued

		M (Morning) E (Evening) S (Sunday)	Date Became Subscriber
TENNESSEE (continued)			
Memphis	Commercial Appeal	S	1931
Memphis	Press Scimitar	E	1909
Nashville	Tennessean	M	1937
Nashville	Banner	E	1934
Nashville	Tennessean	S	1937
TEXAS			
Abilene	Reporter News	E	1939
Amarillo	Globe	E	1924
Austin	American	M	1929
Austin	Statesman	E	1927
Austin	American Statesman	S	1934
Bay City	Tribune	E	1937
Beaumont	Enterprise	M	1929
Beaumont	Journal	E	1929
Beaumont	Enterprise	S	1929
Bonham	Favorite	E	1938
Bonham	Favorite	S	1940
Breckenridge	American	E	1931
Breckenridge	American	S	1940
Brenham	Banner Press	E	1937
Brownwood	Bulletin	E S	1932
Childress	Index	E	1938
Childress	Index	S	1938
Cisco	Press	E	1941
Cleburne	Times Review	E	1931
Corpus Christi	Caller	M	1937
Corpus Christi	Times	E	1938
Dallas	News	M	1920
Dallas	News	S	1920
Dallas	Journal	E	1914
Center	News	M	1939
El Paso	Times	M	1923
El Paso	Times	S	1923
El Paso	Herald Post	E	1922
Fort Worth	Press	E	1921
Gainesville	Register	E	1920
Galveston	Tribune	E	1930
Gladewater	Times Tribune	E	1934
Gonzales	Enquirer	E	1929
Goose Creek	Sun	E	1929
Henderson	News	E	1931
Henderson	News	S	1931
Houston	Post	M	1929
Houston	Post	S	1929
Houston	Press	E	1911
Kilgore	News Herald	E	1931
Kilgore	News Herald	S	1935
Longview	Journal	M	1936
Longview	News	E	1931
Longview	News Journal	S	1936
Lubbock	Journal	E	1938
Marshall	News Messenger	E	1928
McAllen	Press	E	1940

[fol. 1869] EXHIBIT 2—Continued

		M (Morning) E (Evening) S (Sunday)	Date Became Subscriber
TEXAS (continued)			
McAllen	Press	S	1940
Marshall	News Messenger	S	1928
Mexia	News	E	1921
Mexia	News	S	1922
Midland	Reporter Telegram	E	1928
Mineral Wells	Index	E	1929
Nacogdoches	Sentinel	E	1938
Odessa	American	E	1938
Palestine	Herald Press	E	1928
Palestine	Herald Press	S	1926
Port Arthur	News	E	1930
Port Arthur	News	S	1939
Ranger	Times	E	1921
Ranger	Times	S	1940
San Antonio	News	E	1936
San Antonio	News	S	1937
Sweetwater	Reporter	E	1921
Sweetwater	Reporter	S	1921
Taylor	Press	E	1927
Taylor	Press	S	1927
Terrell	Tribune	E	1916
Tyler	Telegraph	M	1929
Tyler	Courier Times	E	1929
Tyler	Courier Times Telegraph	S	1929
Victoria	Advocate	E	1940
Victoria	Advocate	S	1940
Waco	News Tribune	M	1933
Waco	Times Herald	E	1927
Waco	Tribune Herald	S	1934
Waxahachie	Light	E	1913
Wichita Falls	Record News	M	1931
Wichita Falls	Times	S	1936
UTAH			
Logan	Herald Journal	E	1928
Ogden	Standard Examiner	E	1928
Provo	Herald	E	1924
Salt Lake City	Tribune	M	1929
Salt Lake City	Telegram	E	1920
Salt Lake City	Tribune	S	1929
Brigham	Box Elder News Journal	M	1938

[fol. 1870] EXHIBIT 2—Continued

		M (Morning) E (Evening) S (Sunday)			Date Became Subscriber
VIRGINIA					
Alexandria	Gazette		E		1935
Clifton Forge	Review		E		1933
Lynchburg	Advance		E		1940
Martinsville	Bulletin		E		1934
Radford	Star		E		1941
Roanoke	Times	M			1940
Roanoke	World News		E		1941
Roanoke	Times			S	1940
Suffolk	News Herald		E		1940
WASHINGTON					
Aberdeen	World		E		1926
Anacortes	Mercury		E		1940
Bellingham	Herald		E		1926
Bremerton	Sun		E		1935
Everett	Herald		E		1928
Mt. Vernon	Herald		E		1937
Olympia	Olympian		E		1929
Seattle	Star		E		1918
Seattle	Times		E		1921
Seattle	Times			S	1921
Spokane	Chronicle		E		1939
Tacoma	Times		E		1913
Vancouver	Columbian		E		1922
Walla Walla	Union Bulletin		E		1934
Wenatchee	World		E		1929
Yakima	Herald	M			1936
Yakima	Republic		E		1929
Yakima	Herald			S	1936
WEST VIRGINIA					
Charleston	Mail		E		1929
Charleston	Mail			S	1926
Moundsville	Journal		E		1931
Parkersburg	Sentinel		E		1934
Weirton	Times		E		1934
Wellsburg	Herald		E		1933
Wheeling	News Register		E		1934

		M (Morning) E (Evening) S (Sunday)	Date Became Subscriber
WISCONSIN			
Ashland	Press	E	1936
Baraboo	News Republic	E	1925
Beaver Dam	Citizen	E	1918
Beloit	News	E	1922
Eau Claire	Leader	M	1911
Eau Claire	Telegram	E	1911
Eau Claire	Leader	S	1911
Fond du Lac	Commonwealth Reporter	E	1910
Green Bay	Press Gazette	E	1924
Kenosha	News	E	1917
Madison	Wisconsin State Journal	E	1911
Madison	Wisconsin State Journal	S	1912
Merrill	Herald	E	1934
Milwaukee	Journal	E	1923
Milwaukee	Journal	S	1911
Neenah	News Times	E	1918
Oshkosh	Northwestern	E	1910
Portage	Register Democrat	E	1935
Racine	Journal Times	E	1915
Sheboygan	Press	E	1914
Stoughton	Courier Hub	E	1934
Superior	Telegram	E	1922
Watertown	Times	E	1940
Waukesha	Freeman	E	1919
Milwaukee	Post	E	1911
WYOMING			
Cheyenne	Eagle	M	1933
Laramie	Bulletin	M	1931
Rawlins	Republican Bulletin	M	1937
Rock Springs	Rocket	M	1936
Worland	No. Wyoming News	M	1939

[fol. 1872] EXHIBIT 3

Foreign Daily Newspapers Served by the United Press as of Sept. 30, 1941

LATIN AMERICA

Argentia

Bahia Blanca, La Nueva Provincia.
Buenos Aires, Deutsche LaPlata Zeitung.
Buenos Aires, La Critica.
Buenos Aires, El Diario Israelita.
Buenos Aires, Herald.
Buenos Aires, La Prensa.
Buenos Aires, La Razon.
Cordoba, Los Principios.
La Plata, El Dia.
Mendoza, Los Andes.
Pergamino, El Tiempo.
Rosario, La Capital.
Rosario, Tribuna De Rosario.
Salta, El Intransigente.
Santa Fe, El Litoral.
Santa Fe, La Manana.
Santiago Del Estero, El Liberal.
Tandil, La Tribuna.
Tres Arroyos, La Voz del Pueblo.
Tucuman, La Gaceta.
Zarate (Gen. F. Uribune), El Debate.

Boliva

La Paz, La Noche.
La Paz, La Rozon.

Brazil

Belem, Para, Estado Do Para.
Belem, Para, Folha Do Norte.
Belem, Para, Folha Vespertina.
Bello Horizonte, Estado De Minas.
Campinas, Sao Paulo, Diario Do Pove.
Curitiba, Parana, O Dia.
Fortaleza, Ceara, Correio Do Geara.
Joao Pessoa, Paraiba, A Uniao.
Manaos, Amazonas, O Jornal.

EXHIBIT 3—Continued

Brazil—Continued

Manaos, Amazonas, Diario Da Neite.
Nichtheroy, Diario Da Manha.
Pelotas, Rio Grande do Sul, Diario Popular.
Porto Alegre, Diario De Noticias.
Recife, Pernambuco, Diario De Pernambuco.
Rio De Janeiro, A Noitr.
Rio de Janeiro, A Noticia.
Rio de Janeiro, A Vanguarda.
Rio de Janeiro, Correio De Manha.
Rio de Janeiro, Correio Portugues.
Rio de Janeiro, Diario Da Noite.
Rio de Janeiro, Diario Carioca.
Rio de Janeiro, Diario De Noticias.
Rio de Janeiro, Gazeta De Noticias.
Rio de Janeiro, Jornal Do Brasil.
Rio de Janeiro, Jornal Do Comercio.
Rio de Janeiro, Meio Dia.
[fol. 1873] Rio de Janeiro, O Globo.
Rio de Janeiro, O Jornal.
Rio de Janeiro, O Radical.
Santa Maria, Rio Grande do Sul, A Razao.
Santos, O Diario.
Santos, A Tribuna De Santos.
Sao Luiz do Maranhao, Diario Do Norte.
Sao Luiz do Maranhao, O Imparcial.
Sao Paulo, Brasil Asghi.
Sao Paulo, Correio Paulistano.
Sao Paulo, Diario Da Noite.
Sao Paulo, Diario Popular.
Sao Paulo, Diario De Sao Paulo.
Sao Paulo, Folha Da Manha.
Sao Paulo, O Estado.
Sao Paulo, A Platea.
Sao Salvador Bahia, Diario Da Bahia.
Sao Salvador, Bahia, Estado Da Bahia.
Sorocaba, Sao Paulo, Cruzeiro Do Sul.
Teresina, Piaui, Diario Oficial.
Victoria, Esperito Santo, A Gazeta.
Sao Paulo, A Fanfulla.
Ribeirao Preto, A Tarde.
Sao Paulo, O Dia.

EXHIBIT 3—Continued

Chile
Antofagasta, El Mercurio.
Chillan, La Discusion.
Concepcion, El Sur.
Magallanes, P Arenas, El Magallanes.
Osorno, La Prensa.
Puerto Montt, El Llanquihue.
Santiago, Diario Illustrado (F&S).
Santiago, La Hora.
Santiago, Los Tiempos.
El Mercurio—Includes:
Santiago, Mercurio.
Valparaiso, Mercurio.
Santiago, Segunda.
Valparaiso, Estrella.
Santiago, Ultimas Noticias.
Santiago, La Nacion.
Talco, La Manana.
Temuco, Diario Austral.
Tocopilla, La Prensa.
Valdivia, Corrio De Valdivia.
Valparaiso, L'Italia.
Valparaiso, La Union.

Columbia
Barranquilla, La Prensa.
Bogota, El Espectador.
Bogota, El Siglo.
Bogota, El Tiempo.
Cali, Diario Del Pacifico.
Cali, El Relator.
Cartagena, Diario De La Costa.
[fol. 1874] Cucuta, Comentarios.
Manizales, La Patria.
Medellin, La Batalla.
Medellin, El Colombiano.
Medellin, El Diario.
Medellin, El Heraldo De Antioquia.
Medellin, El Pueblo.

Costa Rica
San Jose, La Tribuna.

EXHIBIT 3—Continued

Cuba

Havana, El Mundo.
Havana, El Crisol.
Havana, Prensa Libre.
Havana, Pueblo.
Santiago, Oriente.

Curacao (D. W. I.)

Willemstad, Boletin Comercial.
Willemsted, La Prensa.

Dominican Republic

Cuidad Trujillo, La Nacion.
Santo Domingo, Listin Diario.

Ecuador

Guayaquil, El Universo
Guayaquil, La Prensa.
Quito, Comercio.

Guatemala

Guatemala City, El Imparcial.
Guatemala City, El Liberal Progresista.
Guatemala City, Nuestro Diario.
Guatemala City, Diario De Central America.

Honduras

San Pedro Sula, Diario Comercial.

Mexico

Merida, Diario Del Sureste.
Mexico City, Boletin Financiero & Minero.
Mexico City, El Nacional.
Mexico City, La Prensa.
Mexico City, El Universal.
Mexico City, El Grafico.
Monterrey, El Norte.
Monterrey, El Sol.
Tampico, El Mundo.
Torreon, La Opinion.

Nicaragua

Managua, Novedades.

EXHIBIT 3—Continued

[fol. 1875] Panama

Panama City, Panama American.
Panama City, Tiempo.

Peru

Arequipa, El Pueblo.
Lima, El Comercio.
Lima, La Cronica.
Lima, La Noche.
Lima, La Prensa.
Lima, El Universal.

Puerto Rico

San Juan, El Mundo.
San Juan, World-Journal.

Uraguay

Montevideo, El Debate.
Montevideo, El Dia.
Montevideo, El Diario.
Montevideo, La Manana.
Montevideo, El Pais.
Montevideo, El Plata.
Montevideo, El Tiempo.
Montevideo, The Sun.
Montevideo, Unzer Fraint.
Montevideo, Montevideo.
Montevideo, El Pueblo.

Venezuela

Caracas, Ahora.
Caracas, La Esfera.
Caracas, El Tiempo.
Caracas, Ultimas Noticias.
Caracas, El Universal.
Maracaibo, Herald.
Maracaibo, Panorama.

[fol. 1876] China

Hong Kong, Kung Shun Daily News.
Hong Kong, Wah Kui Yat Pao.
Hong Kong, Wah Tze Yat Pao.

EXHIBIT 3—Continued

China—Continued
Hong Kong, Ta Kung Pao.
Hong Kong, Sing Pao.
Hong Kong, South China Daily News.
Hong Kong, Kuo Wah Pao.
Hong Kong, Kuo Min Jih Pao.
Hong Kong, Sing Tao Jih Pao.
Hong Kong, Tsuen Wan Yat Pao.
Hong Kong, Liberty Daily News.
Hong Kong, Ha Sheung Pao.
Hong Kong, Star Daily News.
Hong Kong, China Evening News.
Hong Kong, Lih Pao.
Hong Kong, Kuoja Shawei Pao.
Hong Kong, Tin Yin Pao.
Hong Kong, Sin Wan Pao.
Hong Kong, Yin Cheung Pao.
Hong Kong, Tze Yin Yat Pao.
Hong Kong, Kwong Ming Pao.
Hong Kong, Hong Kong Telegraph.
Hong Kong, South China Morning Post.
Hong Kong, Kwoh Yin Pao.
Shanghai, China Press.
Shanghai, Shanghai Evening Post.
Shanghai, Journal De Shanghai.
Shanghai, North China Daily News.
Shanghai, Ostasiatscher Lloyd.
Shanghai, Times.

Hawaii
Hilo, Hilo Press.
Hilo, Tribune Herald.
Honolulu, Advertiser.
Honolulu, Herald (Hochi Sha).
Honolulu, Star Bulletin.

Japan
Osaka, Mainichi.
Tokio, Nichi Nichi.
Tokio, Japan Times & Advertiser.

Malay States
Singapore, Chines Press.
Singapore, Singapore Herald.

EXHIBIT 3—Continued

Singapore, Straits Times.
Singapore, Singapore Nippo.
Singapore, Indian Pioneer.
Singapore, Warta Malaya Press.
Singapore, Tamil Murasu.

Netherlands East Indies
Bandeong, Java, Algameen Indisch Dagblad De Preengerbode.

[fol. 1877] Philippines
Cebu, Advertiser.
Cebu, Herald.
Cebu, La Nacion.
Lloilo, El Tiempo.
Lloilo, Times.
Manila, Daily Bulletin.
Manila, Chinese Commercial News.
Manila, El Debate.
Manila, Fookien Times.
Manila, Mabuhay.
Manila, Philippines Herald.
Manila, Sun Yat Sen Times.
Manila, Tribune.

[fol. 1878] Denmark
Aabouraa, Hejndal.
Aalborg, Stiftstidende.
Aarhus, Aarhus Stiftstidende.
Copenhagen, Ekstrabladet.
Copenhagen, Kristeligt Dagblad.
Copenhagen, National Tidende.
Copenhagen, Politiken.
Hjoning, Vendayssel Tidende.
Kalundborg, Kalundborg Folkeblad.
Naestved, Naestyed Tidende.
Nakskov, Nakskov Tidende.
Odense, Fyns Tidende.
Randers, Dagblad.
Ringsted, Ringsted Folketidende.
Skivo, Skivo Folkeblad.
Slagelso, Anstidende.
Svendborg, Avis.
Vejle, Amt Folkeblad.

EXHIBIT 3—Continued

Egypt
Cairo, Al Ahram.
Cairo, Al Mizri.

England
London, Evening Standard.
London, Exchange Telegraph.

Finland
Helsingfors, Helsingen Sanomat.
Helsingfors, Ilta Sanomat.
Helsingfors, Svenska Pressen.
Tampere, Anmulehti.
Turku, Turun Sanomat.

France
Grenoble, Le Petit Dauphinois.
Lyon, Le Progress.
Lyon, Paris-Soir.

Germany
Berlin, Deutscher Verlag.
Berlin, Scherl Verlag.
Berlin, Auswartiges Amt.
Bremen, Bremer Nachrichten.
Breslau, Breslauer Neueste Nachrichten.
Danzig, Danziger Neuste Nachrichten.
Dresden, Der Freiheitsk.
Dusseldorf, Der Mittag.
Dusseldorf, Volkischer Verlag.
Duisberg, Duisberger General-Anzeiger.
Essen National Zeitung.
Essen, Rheinische Westfalische Zeitung.
Frankfurt, Frankfurter General-Anzeiger.
Frankfurt, Frankfurter Volksblatt.
Frankfurt, Frankfurter Zeitung.
Hamburg, Hamburger Fremdenblatt.
Hanove, Hannoverscher Anzeiger.
Kiel, Kieler Neueste Nachrichten.
[fol. 1879] Koln, Kolnische Zeitung.
Leipzig, Neueste Nachrichten.
Munchen, Munchner Neueste Nachrichten.
Neustadt, Naz Rheinfront.
Nurnberg, 8 Uhr Blatt.

EXHIBIT 3—Continued

Nurnberg, Frankischer Kurier.
Schwerin, Niederdeutscher Beobachter.
Stettin, Pommersche Zeitung.
Stuttgart, Stuttgarter Neues Tagblatt.
Reichenberg, Die Zeit.
Vienna, Das Klein Blatt.
Vienna, Neuigkeitz-Welt-Blatt.
Vienna, Neues Weiner Tagblatt.
Vienna, Wiener Neueste Nachrichten.
Pressburg, Aussenaut.
Prague, Der Neue Tag.

Hungary
Budapest, Figgetler Magyarorsag.
Budapest, Kozponti Sajtovallalst.
Budapest, Reszvenytarsasag.
Budapest, Magyar Neuzet.
Budapest, Uj Neuzedek.

Iceland
Reykjarik, Visir.

Italy
Bologna, Resto Del Carlino.
Cagliari, Sardinia, L'unione Sarda.
Cremonia, Regime Fascista.
Florence, La Nazione.
Genoa, Corriere Mercantile and Giornale Di Genova.
Genoa, Il Lavoro.
Leghorn, Il Telegrafo.
Milan, Corriere Della Sera.
Milan, El Secolo Sera.
Milan, Il Popolo D'Italia.
Naples, Il Mattino.
Rome, Il Giornale D'Italia.
Rome, Il Lavoro Fascista.
Rome, Il Messaggero.
Rome, Il Secolo XIX.
Rome, La Tribuna.
Rome, Il Popolo Di Roma.
Trieste, Il Piccolo.
Turin, Gazette Del Popolo.
Turin, La Stampa.
Venice, Il Gazzetino.

EXHIBIT 3—Continued

Netherlands
Amsterdam, Algameen Handelsblad.
Amsterdam, De Telegraaf.
Enschede, Twentsch Dagblad Tubantia.
Haarlem, Haarlems Dagblad.
The Hague, Courant.
Leiden, Leidsch Dagblad.
Rotterdam, Nieuwe Rotterdamsche Courant.
Rotterdam, Neuwsblad.
Utrecht, Utrechtsch Nieuwsblad.

[fol. 1880] Portugal
Coimbra, Diario De Coimbra.
Lisbon, Diario De Lisboa.
Lisbon, Diario De Noticias.
Lisbon, Do Jornal A Republica.
Lisbon, O Seculo.
Oporto, Comercio Do Porto.
Oporto, Jornal De Noticias.
Oporto, O Primeiro De Janeiro.

Spain
Barcelona, Vanguardia.
Madrid, Ya.

Sweden
Bollnaes, Ljusnan.
Eskilstuna, Eskilstuna Kuriren.
Falun, Dala Demokraten.
Gaevle, Gefle Dagblad
Goeteborg, Handelstidnings.
Goeteborg, Ny Tio.
Helsingborg, Helsingborgs Dagblad.
Joenkoeping, Joenkoepings Posten.
Kalmar, Kalmartidningen Barometern.
Karlskrona, Blekinge Laens Tidning.
Karlstad, Nya Wermlands Tidningen.
Kristianstad, Kristianstads Laens Tidning.
Linkoeping, Oestgoeta Correspondenten.
Lulea, Norrbottens-Kuriren.
Malmo, Skanska Dagbladet.

EXHIBIT 3—Continued

Norrkoeping, Norrkoepings Tidninger.
Oerebro, Nerikes Allehanda.
Oernkoeldsvil, Oernskoeldsviks Allehanda.
Oestersund, Posten.
Skelleftea, Norrá Vasterbotten.
Solleftea, Nya Norrland.
Stockholm, Dagens Nyheter.
Stockhold, Nya Dagligt Allehanda.
Sundsvall, Sundsvall Tidning.
Umea, Vasterbottens-Kuriren.
Vaesteras, Vestmanlands Laens Tidning.

Switzerland

Aarau, Aargauer Tagblatt.
Baden, Badener Tagblatt.
Basle, Basler Nachrichten.
Basle, National Zeitung.
Bellinzona, Popolo E. Liberta.
Berne, Berner Tagblatt.
Berne, Der Bund.
Biel, Journal Du Jurabielen Tagblatt.
Chur, Neuen Bundner Zeitung.
Fribourg, La Liberte.
Geneva, Journal De Geneve.
Glarus, Glarner Nachrichten.
Herisau, Apurzeller Zeitung.
La Chaux de Fonds, L'Impartial.
Lausanne, Gazette De Lausanne.
Liestal, Basellandschaftliche Zeitung.
Lucerne, Luzerner Tagblattes.
[fol. 1881] Lugano, Corriere Del Ticino.
St. Gallert, St. Gallert Tagblatt.
Schaffhausen, Schaffhauser Intelligenzblatt.
Solothurn, Solothurner Zeitung.
Uster, Anzeiger Von Uster.
Vevey, Feuille D'Avis.
Winterhur, Der Landbote.
Winterhur, Winterhurer Neues Tagblatt.
Zurich, Tages Anzeiger.
Zurich, Verlag Der Tat.
Neue Zurcher Zeitung.

[fol. 1882]

EXHIBIT 4

United Press Domestic Bureau Offices as of August 31, 1942.

Bureau	Full-Time Editorial Employees	Classifications	Coverage
Albany, N. Y.	5	1 Manager 4 Newsmen	Most of New York State and capital.
Atlanta, Ga.	10	2 Managers 7 Newsmen 1 Boy	Southern Division Headquarters (covers Georgia).
Austin, Tex.	2	1 Manager 1 Newsman	Texas Capitol.
Birmingham, Ala.	1	1 Manager	State of Alabama.
Boise, Idaho	2	1 Manager 1 Newsman	State of Idaho.
Boston, Mass.	12	1 Manager 2 Newsmen 3 Boys	States of Massachusetts, Maine, Vermont, Rhode Island and New Hampshire.
Buffalo, N. Y.	4	1 Manager 2 Newsmen 1 Boy	Local, western part of New York State.
Charleston, W. Va.	2	1 Manager 1 Newsman	State of West Virginia.
Chicago, Ill.	34	2 Managers 31 Newsmen 1 Boy	Central Division Headquarters (Northern Illinois).
Columbia, S. C.	1	1 Manager	State of South Carolina.
Columbus, Ohio	8	2 Managers 5 Newsmen 1 Boy	State Capitol and most of State not covered by Cleveland.
Cleveland, Ohio	4	1 Manager 3 Newsmen	Northern Ohio.
Dallas, Tex.	10	2 Managers 5 Newsmen 3 Boys	Southwest Divisional Headquarters (Most of Texas).
Denver, Colo.	5	1 Manager 3 Newsmen 1 Boy	Colorado, Wyoming and New Mexico.
Des Moines, Iowa	4	1 Manager 3 Newsmen	State of Iowa.
Detroit, Mich.	8	1 Manager 7 Newsmen	State of Michigan except Capitol.

[fol. 1883]

Fort Wayne, Ind.	2	1 Manager 1 Boy	Local.
Fresno, Cal.	2	1 Manager 1 Boy	Local.

Exhibit 4—Continued

Harrisburg, Pa.	5	1 Manager 4 Newsmen	State Capitol.
Hartford, Conn.	2	1 Manager 1 Newsman	State of Connecticut.
Helena, Mont.	2	1 Manager 1 Boy	State of Montana.
Herrin, Ill.	1	1 Manager	Southern section of Illinois.
Houston, Tex.	1	1 Manager	Local.
Indianapolis, Ind.	8	1 Manager 6 Newsmen 1 Boy	States of Indiana and Kentucky.
Jacksonville, Fla.	1	1 Manager	Local.
Jefferson City, Mo.	2	1 Manager 1 Newsman	State Capitol.
Kansas City, Mo.	5	1 Manager 4 Newsmen	State of Kansas and western Missouri.
Lansing, Mich.	2	1 Manager 1 Newsmen	State Capitol.
Lincoln, Nebr.	2	1 Manager 1 Newsman	State Capitol.
Little Rock, Ark.	2	1 Manager 1 Newsman	State of Arkansas.
Los Angeles, Cal.	13	1 Manager 10 Newsmen 2 Boys	Southern California.
Madison, Wis.	3	1 Manager 2 Newsmen	State Capitol.
Memphis, Tenn.	2	1 Manager 1 Newsman	Western section of Tennessee.
Miami, Fla.	3	1 Manager 2 Newsmen	Most of State of Florida.
Milwaukee, Wis.	3	1 Manager 2 Newsmen	State of Wisconsin.
[fol. 1884]			
Minneapolis, Minn.	9	1 Manager 7 Newsmen 1 Boy	Minnesota, North Dakota and South Dakota.
Monterey, Cal.	1	1 Manager	Local.
Nashville, Tenn.	1	1 Manager	State Capitol and eastern Tennessee.
New Orleans, La.	3	1 Manager 2 Newsmen	Louisiana and Mississippi.

EXHIBIT 3—Continued

Bureau	Full-Time Editorial Employees	Classifications	Coverage
Norfolk, Va.	1	1 Manager	Local.
Oklahoma City, Okla.	6	1 Manager 4 Newsmen 1 Boy	State of Oklahoma.
Olympia, Wash.	1	1 Manager	State Capitol.
Omaha, Nebr.	6	1 Manager 5 Newsmen	State of Nebraska.
Philadelphia, Pa.	11	1 Manager 9 Newsmen 1 Boy	Eastern Pennsylvania, Delaware, local New Jersey.
Phoenix, Ariz.	1	1 Manager	State of Arizona.
Pittsburgh, Pa.	10	1 Manager 7 Newsmen 2 Boys	Western section of Pennsylvania.
Portland, Ore.	5	1 Manager 3 Newsmen 1 Boy	State of Oregon.
Raleigh, N. C.	3	1 Manager 2 Newsmen	State of North Carolina.
Reno, Nev.	1	1 Manager	State of Nevada.
Richmond, Va.	1	1 Manager	State of Virginia.
Sacramento, Cal.	5	1 Manager 3 Newsmen 1 Boy	State Capitol.
Salem, Ore.	2	1 Manager 1 Boy	State Capitol.
Salt Lake City, Utah	5	1 Manager 3 Newsmen 1 Boy	State of Utah.
San Diego, Cal.	3	1 Manager 2 Newsmen	Local.
San Francisco, Cal.	15	2 Managers 13 Newsmen	Pacific Division Headquarters (Northern California)
[fol. 1885]			
Seattle, Wash.	3	1 Manager 2 Newsmen	State of Washington.
Spokane, Wash.	1	1 Manager	Local.
Springfield, Ill.	4	1 Manager 3 Newsmen	State Capitol and Central Illinois.

Exhibit 3—Continued

St. Louis, Mo.	10	1 Manager 5 Newsmen 4 Boys	Eastern Missouri.
Washington, D. C.	64	1 Manager 57 Newsmen 6 Boys	National Capitol and Maryland.
New York, N. Y.	174	153 Newsmen 21 Boys	General Headquarters. World-wide coverage. (Local and New Jersey)

[fol. 1886]

United Press Foreign Bureau Offices
As of August 31, 1942

Bogota	15	1 Regional Supervisor 1 Manager 10 Newsmen 3 Boys	Colombia.
Buenos Aires	108	2 Managers 78 Newsmen 30 Boys	Argentina. UP headquarters South America, directing news coverage throughout continent and serving as communications center.
Caracas	6	1 Manager 2 Newsmen 3 Boys	Venezuela.
Guayaquil	2	1 Manager (not full time) 2 Boys	Coastal part of Ecuador.
Quito	2	1 Manager (not full time) 2 Boys	Capital of Equador.
Havana	8	1 Manager 7 Newsmen	Cuba.
La Paz	4	1 Manager 3 Newsmen	Bolivia.
Lima	14	1 Manager 8 Newsmen 5 Boys	Peru.
Mexico City	13	Manager Newsmen 2 Boys	Mexico.
Montevideo	22	1 Manager 12 Newsmen 9 Boys	Uruguay.
Rio de Janeiro	27	1 Manager 13 Newsmen 13 Boys	Brazil.
Sao Paulo	13	1 Manager 6 Newsmen 6 Boys	Sao Paulo region, under Rio's direction.

Exhibit 4—Continued

Bureau	Full-Time Editorial Employees	Classifications	Coverage
Santiago	55	1 Manager 35 Newsmen 19 Boys	Chile.
London	46	2 Manager 31 Newsmen 13 Boys	British Isles, Ireland. Act as communications center and news direction point for all British Empire except N. Z., Australia and Canada. Receives and relays from points such as Teheran, Malta, Addis Ababa, Lourenco Marques, Gibraltar, etc. Also covers France, Norway, Yugoslavia, Holland, etc.
[fol. 1887]			
Vichy	5	1 Manager 2 Newsmen 2 Boys	
Moscow	2	2 Newsmen	Russia. Works in conjunction with Kuibyshev.
Berne	1	1 Newsmen	Switzerland. Chiefly serves as contact point with important diplomatic news sources centered in Berne.
Zurich	10	1 Manager 7 Newsmen 2 Boys	Switzerland.
Lisbon	8	1 Manager 7 Newsmen	Portugal. Also handles and relays dispatches from the Azores, and official reports from Portuguese colonies such as Macao, Timor etc.
Madrid	9	1 Manager 8 Newsmen	Spain and Spanish possessions such as Canary Islands, Spanish Morocco.
Stockholm	8	7 Newsmen 1 Boy	Sweden.
Helsinki	1	1 Newsman	Finland.
Cairo	4	4 Newsmen	Egypt, and British 8th Army, whenever in Libya. Also controls Jerusalem, Alexandria and Haifa.
Johannesburg	1	1 Newsman	Union of South Africa and some adjacent areas.
Beirut	1	1 Newsman	
New Delhi	3	1 Manager 2 Newsmen	India. Main headquarters in India.

EXHIBIT 4—Continued

Ankara	1	1 Newsman	Turkey. Also serves as clearing point for radio, press and travelers' reports from Greece, Bulgaria and general Balkan and Mid-Eastern area.
[fol. 1888]			
Melbourne	4	1 Manager 3 Newsmen	Australia, New Caledonia, Fiji.
Auckland	1	1 Newsman	New Zealand.
Chungking	3	3 Newsmen	Free China.
Panama	1	1 Newsman	Canal Zone and Republic of Panama.
Reykjavik	1	1 Newsman	
Honolulu	6	5 Newsmen 1 Boy	Hawaiian Islands (including Midway), Samoa (Brit. & American), Baker/Jarvis/Nowland/Johnston/Palmyra Islands.

[fol. 1889] EXHIBIT 5

Location of each additional foreign office and bureau maintained by United Press in the period from January 1, 1923 to Sept. 1, 1939, with number of employees in each.

Bureau	Full-Time Editorial Employees	Classifications	Coverage
Amsterdam	4	1 Manager 2 Newsmen 1 Boy	Holland, and relay bureau.
Berlin	11	1 Manager 6 Newsmen 4 Boys	Germany, and sometimes Eastern-Southeastern Europe.
Copenhagen	4	1 Manager 3 Newsmen	Denmark.
Rome	14	1 Manager 8 Newsmen 5 Boys	Italy.
Tokyo	6	1 Manager 4 Newsmen 1 Boy	Japan, Manchukuo.
Singapore	4	1 Manager 2 Newsmen 1 Boy	Straits Settlements, Malaya.
Hongkong	3	1 Manager 1 Newsman 1 Boy	Hongkong, Crown Colony, Canton and nearby region.
Shanghai	28	1 Manager 8 Newsmen 19 Boys	Shanghai area.
Manila	14	1 Manager 6 Newsmen 7 Boys	Philippines, Dutch East Indies.
Saigon	1	1 Manager	Indo-China.
Tientsin	1	1 Manager	North China.
Vienna	6	1 Manager 4 Newsmen 1 Boy	Austria, sometimes Hungary and Yugoslavia.
Geneva	1	1 Newsman	Geneva area, (formerly League of Nations and its subsidiary bodies).
Brussels	5	1 Manager 3 Newsmen 1 Boy	Belgium.

[fol. 1890] EXHIBIT 6

Clients in Central Division Receiving U. P. News Service, Obligated to Furnish Local News to U. P. (Including St. Louis, Mo.)

Illinois

Beardstown Illinois Star.
Belleville News-Democrat.
Belvidere Republican.
Cairo WKRO.
Carthage WCAZ.
Casey Reporter.
Charleston Courier.
Chicago Drovers Journal.
Chicago Journal of Commerce.
Chicago Sun.
Chicago WCFL.
Chicago WBBM.
Chicago WEDC.
Chicago WENR.
Chicago WLS.
Chicago WAAF
Chicago WMAQ.
Chicago WMBI.
Cicero WHFC.
Clinton Journal-Public.
Danville Commercial News.
Danville WDAN.
Dekalb Chronicle.
DuQuoin Call.
East St. Louis Journal.
Edwardsville Intelligencer.
Freeport Journal-Standard.
Galesburg Register-Mail.
Harrisburg Register.
Harrisburg WEBQ.
Herrin Journal.
Herrin WJPF.
Hoopeston Chronicle Herald.
Jacksonville WLDS.
Joliet WCLS.
Kankakee Republican News.
Lawrenceville Record.

Illinois—Continued
Lewiston Record.
Litchfield News-Herald.
Marion Post.
Morris Herald.
Mt. Carmel Republican-Register.
Murphysboro Independent.
National Livestock Reporter.
Paris Beacon-News.
Pekin Times.
Peoria Star.
Peoria Journal-Transcript.
Peoria WMBD.
Pontiac Leader.
Quincy WTAD.
Robinson News.
Rock Island Argus.
Rock Island WHBF.
Savanna Times-Journal.
Shelbyville Union.
Tuscola WDZ.
Watseka Iroquois County Times.
West Frankfort American.

[fol. 1891] Indiana
Alexandria Times Tribune.
Anderson WHBU.
Auburn Star.
Bluffton News-Banner.
Brazil Times.
Clinton Clintonian.
Columbia City Commercial-Mail.
Columbia City Post.
Columbus Republican.
Decatur Democrat.
Elwood Call Leader.
Evansville Press.
Evansville WEOA.
Evansville WGBF.
Ft. Wayne WGL.
Ft. Wayne WOWO.
Gary Post Tribune.
Goshen News-Democrat.
Greencastle Banner.

Hammond Times.
Hammond WJOB.
Hammond WHIP.
Hartford City News-Times.
Huntington Herald-Press.
Indianapolis Times.
Indianapolis WIRE.
Indianapolis WIBC.
Kendallville News-Sun.
Kokomo Tribune.
Kokomo WKMO.
LaPorte Herald-Argus.
Lebanon Reporter.
Linton Citizen.
Logansport Pharos-Tribune.
Marion Leader-Tribune.
Martinsville Reporter.
Michigan City News-Dispatch.
Monticello Herald-Journal.
Mt. Vernon Democrat.
Muncie WLBC.
Peru Tribune.
Plymouth Pilot.
Portland Sun.
Princeton Clarion News.
Princeton Democrat.
Shelbyville Republican.
Sullivan Times.
Terre Haute Tribune.
Terre Haute Star.
Terre Haute WBOW.
Valparaiso Vidette-Messenger.
Vincennes WAOV.
Wabash Plain Dealer.
Warsaw Times.

[fol. 1892] Iowa
Ames Tribune.
Boone News Republican.
Burlington KBUR.
Cedar Rapids Wmt.
Clinton Herald.
Clinton KROG.
Davenport Times.

Iowa—Continued
Davenport WOC.
Des Moines WHO.
Ft. Dodge KVFD.
Ft. Madison Democrat.
Keokuk Gate City.
Oelwein Register.
Oskaloosa Herald.
Ottunwa KBIZ.
Shenandoah Sentinel.
Shenandoah KMA.
Sioux City KTRI.
Washington Journal.

Michigan
Albion Recorder.
Alpena News.
Battle Creek Enquirer News.
Bay City WBCM.
Big Rapids Pioneer.
Cadillac Evening News.
Cheyboygan Tribune.
Coldwater Reporter.
Detroit Times.
Detroit WXYZ.
Dowagiac News.
Escanaba WDBC.
Grand Rapids WOOD.
Grand Rapids WASH.
Greenville News.
Holland Sentinel.
Ironwood WJMS.
Lansing State Journal.
Lansing WJIM.
Manistee News Advocate.
Marshall Chronicle.
Midland News.
Muskegon WKBZ.
Petroskey News.
Pontiac Press.
Port Huron WHLS.
Royal Oak Tribune.
South Haven Tribune.
Sturgis Journal.

Three Rivers Commercial.
Traverse Record Eagle.
Ypsilanti Press.

[fol. 1893] Minnesota
Albert Lea KATE.
Brainerd Dispatch.
Mankato KYSM.
Minneapolis WCCO.
Moorhead News.
Moorhead KVOX.
New Ulm Journal.
Red Wing Republican Eagle.
Rochester KROC.
South St. Paul Reporter.
Stillwater Gazette.
Willmar KWLM.
Winona KWNO.

Missouri
St. Louis Star Times.
St. Louis KFUO.
St. Louis KMOX.
St. Louis KXOK.
St. Louis KWK.

Nebraska
Beatrice Times.
Columbus Telegram.
Falls City Journal.
Grand Island KMMJ.
Hastings Tribune.
McCook Gazette.
Nebraska City News Press.
North Platte Bulletin.
North Platte KGNF.
Omaha Journal Stockman.
Omaha WOW.
Plattsmouth Journal.
Scotts Bluff KGKY.
York Daily News-Times.

North Dakota
Fargo Forum.
Fargo WKAY.
Grand Forks KILO.

South Dakota

Madison Leader.
Pierre Dakotan.
Rapid City KOBH.
Redfield Journal-Observer.
Sioux Falls KSOO.
Sioux Falls KELO.
Watertown KWAT.
Yankton WNAZ.

[fol. 1894] Wisconsin.

Ashland Press.
Ashland WATW.
Baraboo News-Republic.
Beaver Dam Citizen.
Beloit News.
Eau Claire Telegram.
Eau Claire Leader.
Eau Claire WEAU.
Kenosha News.
La Cross WKBH.
Madison Wisconsin State Journal.
Madison WIBA.
Manitowoc WOMT.
Marinette WMAN.
Medford WIGM.
Merrill Herald.
Milwaukee WEMP.
Neenah News-Times.
Portage Register-Democrat.
Racine Journal Times.
Sheboygan Press.
Sheboygan WHBL.
Stoughton Courier-Hub.
Watertown Times.
Waukesha Freeman.
Wausau WSAU.

[fol. 1895] EXHIBIT 7

A.

Aberdeen, Wash.
Abilene, Texas
Ada, Okla.
Akron, Ohio
Alameda, Calif.
Alamosa, Colo.
Albany, Ga.
Albany, N. Y.
Albany, Ore.
Albert Lea, Minn.
Alexandria, Va.
Aubuquerque, N. Mex.
Alexandria, La.
Allentown, Pa.
Alpena, Mich.
Altoona, Pa.
Amarillo, Texas
Americus, Ga.
Ames, Iowa
Anaheim, Calif.
Anderson, Ind.
Anniston, Ala.
Asheville, N. C.
Ashland, Ky.
Ashland, Ohio
Ashland, Wisc.
Ashtabula, Ohio
Astoria, Ore.
Athens, Ga.
Atlanta, Ga.
Atlantic City, N. J.
Auburn, N. Y.
Augusta, Ga.
Augusta, Maine
Austin, Texas

B.

Baker, Ore.
Bakersfield, Calif.
Baltimore, Md.
Bangor, Maine
Baraboo, Wisc.
Batavia, N. Y.
Baton Rouge, La.
Battle Creek, Mich.
Bay City, Mich.
Beaumont, Texas
Beatrice, Neb.
Beaver Dam, Wisc.
Beckley, W. Va.
Belleville, Ill.
Bellingham, Wash.
Beloit, Wisc.
Belvidere, Ill.
Bend, Ore.
Berkeley, Calif.
Berwick, Pa.
Beverly Hills, Calif.
Big Rapids, Mich.
Billings, Mont.
Binghamton, N. Y.
Birmingham, Ala.
Blytheville, Ark.
Blackwell, Okla.
Bloomington, Ill.
Bluefield, W. Va.
Boise, Idaho
Boston, Mass.
Bowling Green, Ky.
Bradford, Pa.
Brainerd, Minn.
Bremerton, Wash.
Bridgeport, Conn.
Bridgeton, N. J.
Bristol, Tenn.
Brockton, Mass.
Bronx, N. Y.
Brooklyn, N. Y.
Brownwood, Texas
Brunswick, Ga.
Bucyrus, Ohio
Buffalo, N. Y.

EXHIBIT 7—Continued

Burbank, Calif.
Burlington, Vt.
Burlington, N. C.
Butler, Pa.
Butte, Mont.

C.

Cadillac, Mich.
Cairo, Ill.
Cambridge, Ohio
Camden, N. J.
Canton, Ohio
Cape Girardeau, Mo.
Carlisle, Pa.
Carthage, Mo.
Carthage, Ill.
Casper, Wyo.
Cedar Rapids, Iowa
Catskill, N. Y.
Centralia, Wash.
Champaign, Ill.
Charleston, S. C.
Charleston, W. Va.
Charleston, Ill.
Charlotte, N. C.
Charlottesville, Va.
Chattanooga, Tenn.
Cheboygan, Mich.
Cheyenne, Wyo.
Chester, Pa.
Chicago, Ill.
Chico, Calif.
Cicero, Ill.
Cincinnati, Ohio
Clarksdale, Miss.
Cleveland, Ohio
Cleveland, Tenn.
Clinton, Iowa
Clovis, N. Mex.
Coldwater, Mich.
Columbia, Mo.
Columbia, S. C.
Columbus, Neb.
Columbus, Ohio
Columbus, Ga.
Cookeville, Tenn.
Corona, Calif.
Corpus Christi, Texas
Corsicana, Texas
Corvallis, Ore.
Coshocton, Ohio
Covington, Va.
Cumberland, Md.
Cushing, Okla.

D.

Dallas, Texas
Danville, Ill.
Danville, Pa.
Davenport, Iowa
Dayton, Ohio
Decatur, Ala.
DeKalb, Ill.
Deland, Fla.
Delaware, Ohio
Denver, Colo.
Des Moines, Iowa
Denton, Texas
Denison, Texas
Detroit, Mich.
Dowagiac, Mich.
Dubois, Pa.
Dubuque, Iowa
Dublin, Ga.
Duncan, Okla.
Dunkirk, N. Y.
Durham, N. C.
Durango, Colo.
Du Quoin, Ill.

E.

Easton, Pa.

EXHIBIT 7—Continued

[fol. 1896]
East St. Louis, Ill.
Eau Claire, Wisc.
El Centro, Calif.
Eldorado, Ill.
Elizabeth, N. J.
Elizabeth City, N. C.
Elmira, N. Y.
El Paso, Texas
Elyria, Ohio
Emporia, Kan.
Enid, Okla.
Erie, Pa.
Eugene, Ore.
Eureka, Calif.
Everett, Wash.
Evansville, Ind.

F.

Fall River, Mass.
Fairmont, W. Va.
Fargo, N. D.
Fayetteville, N. C.
Flint, Mich.
Florence, S. C.
Fond du Lac, Wisc.
Ft. Dodge, Iowa
Ft. Lauderdale, Fla.
Ft. Madison, Iowa
Ft. Smith, Ark.
Ft. Wayne, Ind.
Ft. Worth, Texas
Franklin, Pa.
Freeport, Ill.
Fresno, Calif.
Fremont, Ohio
Fullerton, Calif.
Fredericksburg, Va.

G.

Gainesville, Fla.
Galesburg, Ill.
Galveston, Texas
Garden City, Kan.
Gary, Ind.
Galion, Ohio
Gastonia, N. C.
Glendale, Calif.
Glenside, Pa.
Globe, Ariz.
Goshen, Ind.
Goldsboro, N. C.
Grand Island, Neb.
Grand Junction, Colo.
Grand Rapids, Mich.
Grand Forks, N. C.
Great Bend, Kan.
Great Falls, Mont.
Greeley, Colo.
Green Bay, Wisc.
Greensburg, Pa.
Greenville, Miss.
Greenville, N. C.
Greenville, S. C.
Greensboro, N. C.
Greenwich, Conn.
Griffin, Ga.

H.

[Hamilton, Ont.]*
Hammond, Ind.
Hanford, Calif.
Harlan, Ky.
Harrisburg, Ill.
Harrisburg, Pa.
Harrisburg, Va.
Hartford, Conn.
Hattiesburg, Miss.
Henderson, Ky.
Hastings, Neb.
Hazleton, Pa.
Havre, Mont.

*Matter enclosed in brackets struck out in copy.

EXHIBIT 7—Continued

Hempstead, L. I.
Henderson, Texas
Herrin, Ill.
Herkimer, N. Y.
Hickory, N. C.
High Point, N. C.
Helena, Ark.
Hoboken, N. J.
Holland, Mich.
Hollywood, Calif.
Holyoke, Mass.
Houston, Texas
Hopkinsville, Ky.
Hendersonville, N. C.
Huntington, Ind.
Huntingdon, Pa.
Hot Springs, Ark.
Hudson, N. Y.
Hutchinson, Kan.
Huntsville, Ala.
Huntington, W. Va.
Hoopeston, Ill.

I.

Idaho Fall, Ida.
Indianapolis, Ind.
Inglewood, Calif.
Ithaca, N. Y.
Ironwood, Mich.

J.

Jackson, Mich.
Jackson, Miss.
Jackson, Tenn.
Jacksonville, Fla.
Jacksonville, Ill.
Jamaica, N. Y.
Jamestown, N. Y.
Jefferson City, Mo.
Jersey City, N. J.
Johnstown, Pa.
Joliet, Ill.
Joplin, Mo.
Johnsen City, Tenn.

K.

Kalamazoo, Mich.
Kalispell, Mont.
Kannapolis, N. C.
Kankakee, Ill.
Kansas City, Kan.
Kansas City, Mo.
Keene, N. H.
Kenosha, Wisc.
Keokuk, Iowa
Kilgore, Texas
Kingsport, Tenn.
Kinston, N. C.
Kingston, N. Y.
Kirksville, Mo.
Kittanning, Pa.
Klamath Falls, Ore.
Knoxville, Tenn.
Kokomo, Ind.

L.

Lansing, Mich.
La Crosse, Wisc.
LaGrande, Ore.
Lafayette, Ind.
Lafayette, La.
Lake Charles, La.
LaGrange, Ga.
Lancaster, Pa.
La Porte, Ind.
Latrobe, Pa.
Laurel, Miss.
Lawrenceville, Ill.
Lawrence, Mass.
Lawrence, Kan.
Lawton, Okla.
Lewiston, Idaho

EXHIBIT 7—Continued

Lewiston, Maine
Lewistown, Pa.
Lexington, Ky.
Las Vegas, Nev.
Laramie, Wyo.
Lima, Ohio
Liberal, Kan.
Lincoln, Neb.
Little Rock, Ark.
Logan, Utah
Logan, W. Va.
Logansport, Ind.
Long Beach, Calif.
[fol. 1897]
Longview, Wash.
Long Island City, N. Y.
Longview, Texas
Lorain, Ohio
Los Angeles, Calif.
Louisville, Ky.
Loveland, Colo.
Lubbock, Texas
Lowell, Mass.
Lynn, Mass.

M.

Macon, Ga.
Madison, Wisc.
Mahonoy City, Pa.
Manchester, N. H.
Manistee, Mich.
Manitowoc, Wisc.
Mankato, Minn.
Mansfield, Ohio.
Marinette, Ohio
Marinette, Wisc.
Marion, Ind.
Marion, Ohio
Marshalltown, Iowa
Marshfield, Ore.
Martins Ferry, Ohio
Marshall, Texas
Marysville, Calif.
Mason City, Iowa
McComb, Miss.
McCook, Neb.
McKeesport, Pa.
Medford, Ore.
Medford, Wisc.
Memphis, Tenn.
Merced, Calif.
Meridian, Miss.
Merrill, Wisc.
Mexia, Texas
[Mexico City, Mex.] *
Miami, Fla.
Miami Beach, Fla.
Middletown, Conn.
Middletown, N. Y.
Midland, Mich.
Midland, Texas
Milton, Pa.
Milwaukee, Wisc.
Minneapolis, Minn.
Missoula, Mont.
Mobile, Ala.
Modesto, Calif.
Monroe, La.
Monterey, Calif.
Montgomery, Ala.
Monticello, Ind.
[Montreal, Que.] *
Montrose, Colo.
Moorhead, Minn.
Morris, Ill.
Morgantown, W. Va.
Moultrie, Ga.
Mt. Carmel, Ill.
Mt. Carmel, Pa.
Mt. Vernon, Wash.

*Matter enclosed in brackets struck out in copy.

EXHIBIT 7—Continued

Muncie, Ind.
Murphysboro, Ill.
Muskegon, Mich.
Muskogee, Okla.

N.

Nampa, Idaho
Napa, Calif.
Nashville, Tenn.
Naugatuck, Conn.
Neenah, Wisc.
Neosha, Mo.
Newark, N. J.
Newark, Ohio
New Bedford, Mass.
New Bern, N. C.
New Britain, Conn.
Newburgh, N. Y.
New Haven, Conn.
New Orleans, La.
New York, N. Y.
[New Westminster, B. C.]*
Niagara, Falls, N. Y.
Norfolk, Va.
Norristown, Pa.
North Platte, Neb.
North Tonawanda, N. Y.
Norwalk, Ohio

O.

Oakland, Calif.
Ocala, Fla.
Oelwein, Iowa.
Ogden, Utah
Ogdensburg, N. Y.
Oklahoma City, Okla.
Okmulgee, Okla.
Olean, N. Y.
Olympia, Wash.
Omaha, Neb.
Ontario, Calif.
Opelika, Ala.
[Orange, N. J.] *
Orlando, Fla.
Oroville, Calif.
Oshkosh, Wisc.
Oskaloosa, Iowa.
Oxnard, Calif.
Ottumwa, Ia.

P.

Paducah, Ky.
Painesville, Ohio
Palo Alto, Calif.
Paris, Ill.
Parkersburg, W. Va.
Pasadena, Calif.
Panama City, Fla.
Passaic, N. J.
Paterson, N. J.
Pawtucket, R. I.
[Pecos, Texas] *
Pendleton, Ore.
Peoria, Ill.
Pensacola, Fla.
Peru, Ind.
Petersburg, Va.
Petoskey, Mich.
Philadelphia, Pa.
Pittsburgh, Pa.
Phoenix, Ariz.
Pine Bluff, Ark.
Piqua, Ohio
Pittsfield, Mass.
Pittston, Pa.
Plattsburgh, N. Y.
Pocatello, Idaho
Pomona, Calif.
Pontiac, Ill.
Pontiac, Mich.
Port Arthur, Texas
Port Huron, Mich.

*Matter enclosed in brackets struck out in copy.

EXHIBIT 7—Continued

Portland, Ind.
Portland, Maine
Portland, Ore.
Portsmouth, Ohio
Pottsville, Pa.
Providence, R. I.
Princeton, Ind.
Provo, Utah
Pueblo, Colo.
Pullman, Wash.

Q.

[Quebec, Que.] *
Quincy, Mass.
Quincy, Ill.

R.

Racine, Wisc.
Radford, Va.
Raleigh, N. C.
Rapid City, S. C.
Ravenna, Ohio
Rawlins, Wyo.
Reading, Pa.
Red Bank, N. J.
Red Bluff, Calif.
Redding, Calif.
Redland, Calif.
Reidsville, N. C.
[fol. 1898]
Reno, Nev.
Richmond, Va.
Ridgway, Pa.
Riverside, Calif.
Roanoke, Va.
Roanoke Rapids, N. C.
Robinson, Ill.
Rochester, Minn.
Rockford, Ill.
Rock Island, Ill.
Rock Springs, Wyo.
Rocky Mount, N. C.
Rome, Ga.
Roswell, N. Mex.
Rutland, Vt.

S.

Sacramento, Calif.
Saginaw, Mich.
St. Albans, Vt.
St. Augustine, Fla.
[St. Catherines, Ont.] *
St. Cloud, Minn.
St. Joseph, Mo.
St. Louis, Mo.
St. Paul, Minn.
St. Petersburg, Fla.
Salem, Ore.
Salinas, Calif.
Salisbury, Md.
Salt Lake City, Utah
San Antonio, Texas
San Bernardino, Calif.
San Diego, Calif.
Sandusky, Ohio
San Francisco, Calif.
San Jose, Calif.
San Luis Obispo, Calif.
San Mateo, Calif.
San Rafael, Calif.
Santa Ana, Calif.
Santa Barbara, Calif.
Santa Cruz, Calif.
Santa Fe, N. Mex.
Santa Maria, Calif.
Santa Monica, Calif.
Santa Paula, Calif.
Santa Rosa, Calif.
Sapulpa, Okla.
Sarasota, Fla.
Savannah, Ga.
Sayre, Pa.

*Matter enclosed in brackets struck out in copy.

EXHIBIT 7—Continued

Schenectady, N. Y.
Scottsbluff, Neb.
Scranton, Pa.
Seattle, Wash.
Sedalia, Mo.
Shamokin, Pa.
Sharon, Pa.
Sheffield, Ala.
Sheboygan, Wisc.
Shenandoah, Pa.
Shenandoah, Iowa
Sherman, Texas
Shreveport, La.
Siloam Springs, Ark.
Sioux City, Iowa
Sioux Falls, S. D.
South Bend, Ind.
South Bridge, Mass.
South Haven, Mich.
Spartanburg, S. C.
Spokane, Wash.
Springfield, Ill.
Springfield, Mass.
Springfield, Mo.
Springfield, Ohio
Statesville, N. C.
Staten Island, N. Y.
Steubenville, Ohio
Stockton, Calif.
Stamford, Conn.
Sturgis, Mich.
Suffolk, Va.
Sumter, S. C.
Sunbury, Pa.
Superior, Wisc.
Sweetwater, Texas
Syracuse, N. Y.

T.

Tacoma, Wash.
Tallahassee, Fla.
Tamaqua, Pa.
Tampa, Fla.
Temple, Texas
Terre Haute, Ind.
Texarkana, Texas
The Dalles, Ore.
Thomasville, Ga.
Three Rivers, Mich.
Tiffin, Ohio
Toledo, Ohio
[Toronto, Ont.] *
Topeka, Kan.
Traverse City, Mich.
Trenton, N. J.
Troy, N. Y.
Tuscon, Ariz.
Tulsa, Okla.
Tupelo, Miss.
Turlock, Calif.
Tuscola, Ill.
Tuscon, Ariz.
Twin Falls, Idaho
Tyler, Texas

U.

Utica, N. Y.
Uniontown, Pa.

V.

Valdosta, Ga.
Vallejo, Calif.
Valparaiso, Ind.
Vancouver, B. C.
[Vancoupver, Wash.] *
Ventura, Calif.
Victoria, Texas
Vineland, N. J.
Vincennes, Ind.
Visalia, Calif.

*Matter enclosed in brackets struck out in copy.

EXHIBIT 7—Continued

W.

Wabash, Ind.
Waco, Texas
Walla Walla, Wash.
Warren, Ohio
Warsaw, Ind.
Washington, D. C.
Waterbury, Conn.
Waterbury, Vt.
Waterloo, Iowa
Watertown, N. Y.
Watertown, Wisc.
Watsonville, Calif.
Watseka, Ill.
Waukesha, Wisc.
Wausau, Wisc.
Waycross, Ga.
Wenatchee, Wash.
West Frankfort, Ill.
Weslaco, Texas
West Palm Beach, Fla.
Wewoka, Okla.
Wheeling, W. Va.
Whittier, Calif.
Wichita, Kan.
Wichita Falls, Texas
Wilkes Barre, Pa.
Williamson, W. Va.
Williamsport, Pa.
Willmar, Minn.
Wilmington, Del.
Washington, Pa.
Wilmington, Calif.
Wilson, N. C.
[Winnipeg, Man.]*
Winona, Minn.
Winston Salem, N. C.
Winsted, Conn.
Worcester, Mass.
Worland, Wyo.
[fol. 1899] Y.
Yakima, Wash.
Yankton, S. D.
York, Neb.
York, Pa.
Youngstown, Ohio
Yuma, Ariz.
Yreka, Calif.

Z.

Zanesville, Ohio

* Matter enclosed in brackets struck out in copy.

[fol. 1900] EXHIBIT 8

Arizona
Arkansas
California
Colorado-New Mexico
Connecticut-Rhode-Island
Florida
Georgia-South Carolina
Idaho-Montana-Utah
Illinois
Indiana
Iowa
Kansas
Kentucky
Louisiana
Massachusetts
Michigan
Minnesota
Mississippi
Missouri
Nebraska
New Jersey
New York
North Carolina-Virginia
Ohio
Oklahoma
Oregon
Pennsylvania
Tennessee
Texas
Washington
West Virginia
Wisconsin
Wyoming

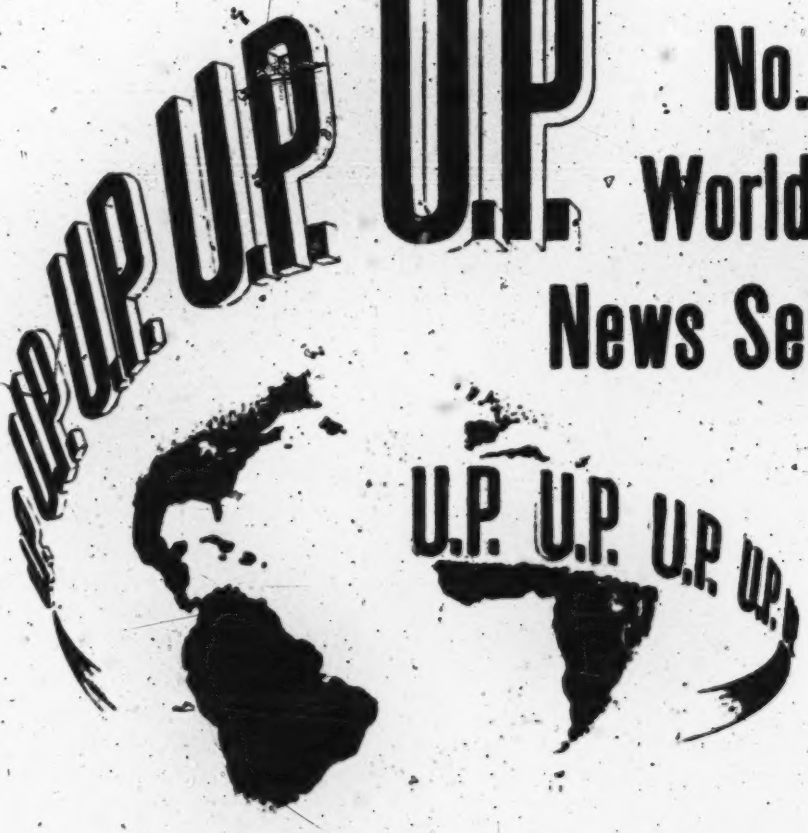
(Here follows 1 photolithograph, side folio 1901)

1556A

Exhibit 9

U.P. U.P. U.P.

No. 1 Worldwide News Service



The United Press is the largest and most far-reaching news service in the world. Clients receiving news direct from United Press number 2014—hundreds more than those of any other service.

United Press dispatches reach every country outside the Axis. This includes all the Americas, Britain and all her empire, Iceland, Sweden, Switzerland, Finland, Iraq, Iran, Palestine, Turkey, Egypt, Portugal, Russia and Free China.

The United Press was founded in 1907 to provide an independent source of world news. Its steadfast loyalty to this purpose has been a fundamental factor in achieving first place among the world's news services.

FOREMOST BECAUSE IT OFFERS MOST **UNITED PRESS**

1901

[fol. 1902]

UNITED PRESS ASSOCIATIONS

INCORPORATED IN NEW YORK

GENERAL OFFICES

NEWS BUILDING, NEW YORK CITY

April 16, 1941.

DIVISION MANAGERS
BUSINESS REPRESENTATIVES
ALL BUREAU MANAGERS

GENTLEMEN:

Here is a compilation of the latest statistics on the United Press which you will probably want to keep at hand.

Cordially,

Walt Rundle.

WR:PM.

[fol. 1903] 4/2/41.

United Press Statistics

The world-wide news service of the United Press is used by more than 1,460 newspapers and nearly 500 radio stations.

To speed its news from world capitals and centers of acitivity around the globe, the United Press employs every modern means of communication—wireless, telex printers, transoceanic cables and telephones.

In the United States alone, 176,000 miles of leased wire are required to carry the United Press news report to newspapers and radio outlets serving communities in all 48 states and the District of Columbia. The United Press is the only press association operating a coast-to-coast wire, supplying news to radio stations exclusively.

Over its numerous news channels, domestic and foreign, are moved an estimated total of 750,000 words daily.

A corps of 1,500 highly trained, full-time correspondents man the 110 United Press bureaus located in every important news center in the world. United Press prides itself on the fact that its key men everywhere are trained in the best traditions of American journalism. Their working creed is accuracy and impartiality. In addition to its full-time correspondents, United Press has another 55,000 con-

tributing correspondents, stationed in county seats, small towns and at country crossroads—a total of 56,500 United Press noses for news.

[fol. 1904]

Reprinted from EDITOR & PUBLISHER for DECEMBER 12, 1942

INDEPENDENT

WORLD NEWS COVERAGE

From its organization in 1907 the United Press has gathered world-wide news from its independent sources, from its own American-trained correspondents. Likewise since this date it has distributed American news abroad in a constantly growing volume.

Such barriers as existed to free and independent news gathering and distribution throughout the world were leveled by the U. P. very shortly after its organization. The result was a revolution in world news-gathering and distributing methods.

Since 1907, the news of the North American continent has been distributed to newspapers in foreign countries via cable and wireless by the United Press.

The United Press began the sale of world news to the newspapers of Latin America in 1916, more than two years prior to any attempt by any other American news agency to operate in that field which theretofore had been monopolized by the Havas Agency.

United Press newspapers never have been dependent for their world news coverage on the propagandized and often nationally biased services furnished by Reuters (British), Havas (French), or Wolff (German).

NOW AS ALWAYS

The World's Best Coverage of the World's Biggest News

By UNITED PRESS

(Here follows 7 photos, fols. 1905-1911)

1558A

ON HOME NEWS FRONTS

Total coverage

U.P. United Press alone is doing a total job of covering this total war.

Not only are United Press dispatches from foreign fronts thorough, fast, distinctive.

United Press also continues to cover home news fronts in outstanding fashion.

With its own independent domestic news-gathering network, United Press is providing radio with sectional and regional news as no other service can.

Expressly for this purpose, United Press maintains 47 radio news bureaus. Each is staffed by men specially trained in writing news for broadcast. Each files its news directly on the United Press coast-to-coast radio news wire for the 485 domestic United Press radio news clients.

The map above shows the location of the United Press radio news bureaus in this country and how their combined reporting ranges make United Press coverage total on home news fronts as well as on foreign.

UNITED PRESS

1905

1558B

GOOD NEIGHBORS
130 UNITED PRESS
NEWSPAPER CLIENTS
IN LATIN AMERICA
UNITED
PRESS

1906

1558C

The Trade Mark of Accuracy & Speed

In

LEADERSHIP

there is

PRESTIGE

In Pennsylvania
United Press continues
to serve more daily news-
papers than any other
Press Association

UNITED PRESS

[illegible] P. N. P. A. Bulletin when writing to Advertisers.

1907

When BIG STORIES

Break in California...

Los Angeles Times FINAL EDITION

4 BOMB NAZI INVASION FLEET

Night Raiders Blast French Coast Ports

Gen. Strong Says Britain to Win War

Writer Tells of Tour to Pacific Naval Bases

From Kidnaper

Santa Rosa Republican

CHICAGO DAILY NEWS

PASADENA STAR-NEW

British Re... Tensic...

Los Angeles Times

KIDNAPED

CHANNEL BAT...

HOME EDITION

GRILL KIDNAP...

SAN JOSE NEWS

...AWAITS KIDN...

THE DENVER POST

WOMAN IS BELIEVED IMPLI... IN KIDNAPING OF CALIFOR...

Stockton Record

3-Year-Old Son ... Seized Near Residence

Citizen-News

...APED FOR $100,000 RANSOM

PASADENA STAR-NEWS

FRESNO BEE

Boy Police Hunt Woman In Kidnaping

UNITED PRESS

Because United Press has the

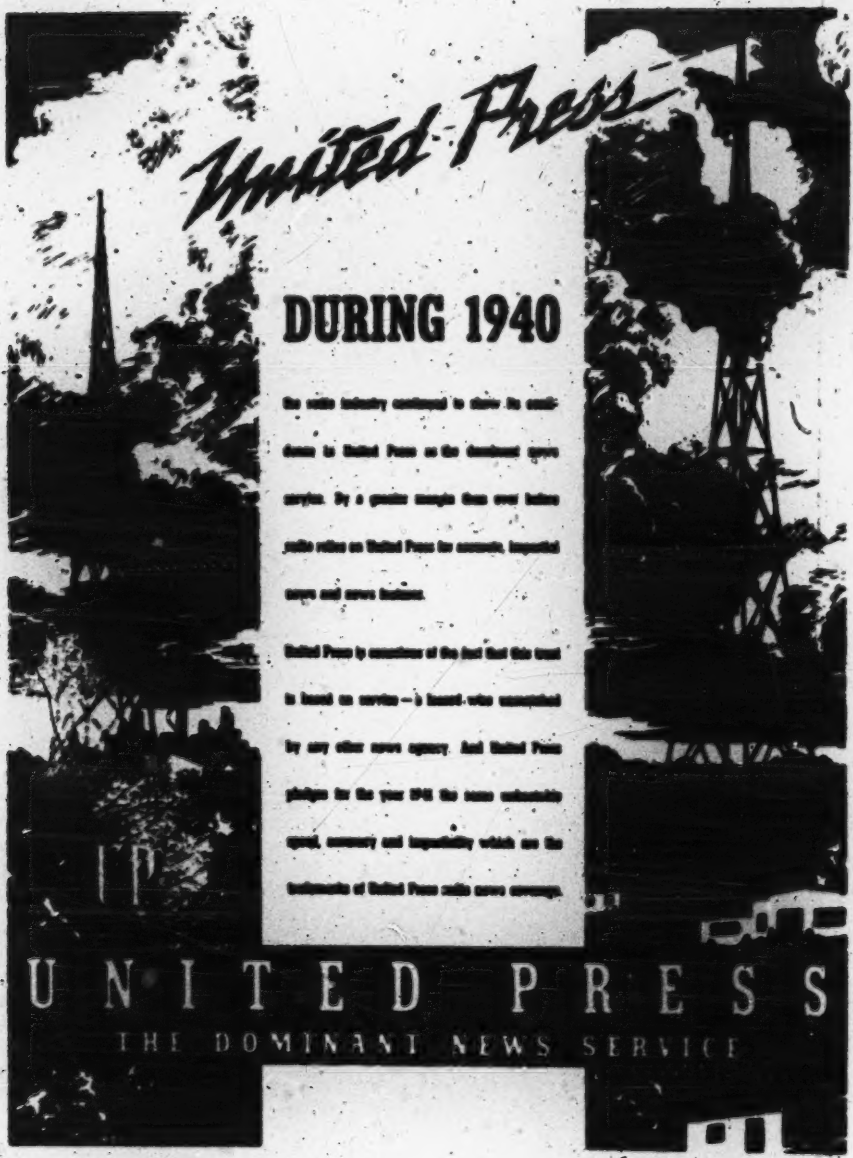
...UNITED PRESS DOMINATES!

Because United Press has the most bureaus, the most member newspapers, the greatest news gathering resources. . . . . .

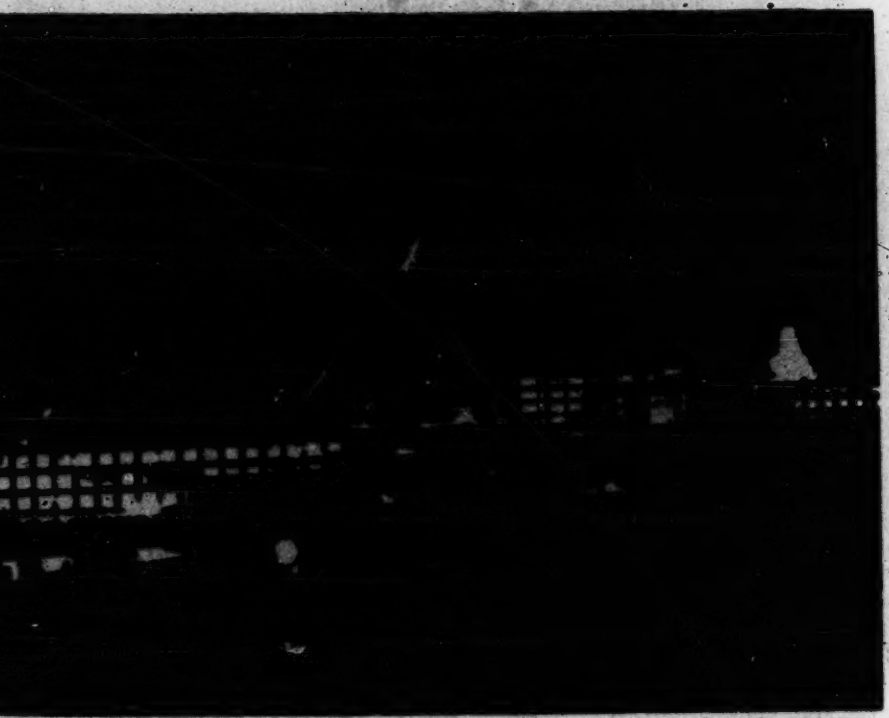
1908

15581

1558E


United Press
DURING 1940
UNITED PRESS
THE DOMINANT NEWS SERVICE

1908a



t Swings along
ith the Swing Shifts

rican industry is working 24 hours a day to win the war. A third of the more
now making this total effort work at night. They compose the swing shifts,
reakfast at bedtime and dine at dawn. They miss much of normal life.
ed Press does to it they do not miss the news. United Press 24-hour radio
things along with them, keeps them as accurately, quickly and completely
as it does listeners during the seven-to-eleven peak radio hours.
ter in what part of the nation or at what time Americans work,
Press across-the-country and around-the-clock radio service assures
the world's best coverage of the world's biggest news.

UP AROUND · THE · CLOCK RADIO NEWS

UNITED PRESS

Reproduced from RADIO DAILY, issue of January 6, 1943

1909

1558G

Completed!

1910

THE FIRST
Coast-to-Coast
NEWS WIRE
FOR RADIO
Exclusively!

WHAT THIS MEANS TO *Newscasters!*

- Prime national and foreign news coverage.
- Fuller regional news coverage.
- Full day and night radio news coverage throughout the nation.
- Full Sunday radio news coverage, without gaps.
- Availability, for the first time, to many stations of a news wire written and edited expressly for radio.
- Availability, for the first time, to all stations of the 59 United Press Radio News Wire Features—and over-all news resources United Press alone provides.

Uniting its eastern and western radio wires on January 5, United Press created for the first time in radio history a coast-to-coast news wire for radio exclusively.

Simultaneously United Press established new radio news bureaus at Denver and Salt Lake City, added substantially to its radio facilities in the Portland, Oregon, Los Angeles and Kansas City bureaus.

With a single great network now spanning the nation, United Press offers newscasters the fastest, fullest news service in radio.

UNITED PRESS

THE MODERN NEWS SERVICE

U.P.

Typical

of "the world's best coverage of the world's biggest news"....by UNITED PRESS

1911

May We Brag a Little?

The News-Press is indeed proud of the handling of that heart-rending story yesterday on the loss of so many men when a ship bound for Bermuda was torpedoed and sunk.

And a deserved bouquet to the United Press which carried exclusively the St. Joseph and northwest Missouri angle, so important to maddened mothers and sisters in these counties in this part of the state.

The News-Press has at times modestly boasted about carrying the two major news services, where a larger newspaper circulating in this area carries only one. The scoop of the United Press yesterday justifies all our claims as to the value—even at heavy cost—in giving you, our readers, the fullest protection in news coverage.

The News-Press takes a bow but asks the U. P. to take one also.

EDITORIAL IN THE ST. JOSEPH NEWS-PRESS, JANUARY 29

[fol. 1912] EXHIBIT 10

	Circulation*	
Amherst (N. S.) News Sentinel	5974	
Armstrong (B. C.) Advertiser	850	
Bellechasse (Que.) Le Courrier		
Bridgewater (N. S.) Bulletin & South Shore Record	2747	
Brandon (Man.) Sun	5347	
Calgary (Alta.) Herald	34064	
Campbellton (N.B.) Graphic	2886	
Creston (B. C.) Review	650	
Dauphin (Man.) Herald	2340	
Edmonton (Alta.) Bulletin	12823	
Cananoque (Ont.)) Reporter		
Gaspe (Que.) La Voix	2914	
Grand 'Mere (Que.) Le Laurentien	2301	
Hamilton (Ont.)) Spectator	86268	
Kamloops (B. C.) Sentinel	3072	
Lindsay (Ont.) Daily Bost	4512	
Louiseville (Que.) Le Reveil	1257	
Montmagny (Que.) Le Courrier	2719	
Montreal (Que.), Daily Star	127638	
La Patrie	225797	(Daily, Sat.
La Presse (Daily, Sat.)	478437	Sun.)
London Daily Telegraph		
New York, (N. Y.) London News-Chronicle		
New Westminster (B. C.) British Columbian	11096	
Ottawa (Ont.) Journal	40032	
Prince George (B. C.) Citizen	1250	
Quebec City (Que.) Chronicle Telegraph	4669	
Quebec (Que.) L'Action Catholique	68852	
Regina (Sask.) Leader-Post	32180	
Renfrew (Ont.) Mercury	2842	
Salmon Arm (B. C.) Observer	750	
St. Catharines (Ont.) Standard	14507	
St. Jerome (Que.) L'Avenir du Nord	3800	
St. John (P. Q.) News & Advocate		
St. Stephen (N. B.) St. Croix Courier	4220	
Saskatoon (Sask.) Star-Phoenix		

EXHIBIT 10—Continued

	Circulation*
Shawinigan Falls (Que.) Les Chutes	2857
Sudbury (Ont.) (Daily Star	8298
Summerside (P. E. I.) Journal	4200
Toronto (Ont.) Chinese Times	4000
Toronto Star (Int)	239210
Toronto (Onto) Evening Telegram	152911
Trenton (Ont.) Quinte Sun	
Vancouver (B. C.) Chinese Times	4300
Vancouver (B. C.) Sun	76329
Victoria (B. C.) Colonist	36451
Winnipeg (Man.) Free Bress	74432
Montreal (Que.) L'Illustration Nouvelle	
La Patrie	225797
La Presse	378437
Standard	149265
Quebec (Que.) L'Action Catholique	68332
Regina (Sask.) Leader-Post	32180
Toronto (Ont.) Globe & Mail	165584
Vancouver (B. C.) News Herald	23057

-26-

* According to Ayers Newspapers and Periodicals Directory.

[fol. 1913] EXHIBIT 11

Brandon, CKX
Brantford, CKPC
Calgary, CFCN
Charlottetown, CFCY
Chatham, CFCO
Edmonton, CFRM
Flin Flon, CFAR
Fredericton, CFNB
Halifax, CHNS
Hamilton, CKOC
Kitchener, CKCR
Lethbridge, CJOC
Moncton, CKCW
Montreal, CKAC
Montreal, CFCX
Montreal, CFCF
Montreal, CHLP
Moose Jaw, CHAB
Ottawa, CBC
Ottawa, CKCO
Pembroke, CHOV
Prince Albert, CKBI
Prince Rupert, CFPR
Quebec, CHRC
Regina, CKCK
St. Catherines, CKTB
Saskatoon, CFQC
Stratford, CJCS
Sudbury, CKSO
Toronto, CKCL
Toronto, CLB
Toronto, CFRB
Vancouver, CJCR
Vancouver, CKMO
Wingham, CKNX
Windsor, CKDN
Winnipeg, CJRC
Winnipeg, CKY
Yorkton, CJGX

[fol. 1914] AFFIDAVIT OF FRED S. FERGUSON

STATE OF NEW YORK,
COUNTY OF NEW YORK, ss:

FRED S. FERGUSON, being duly sworn, deposes and says:

I am President of NEA Service, Inc., hereinafter referred to as NEA. From 1908 to 1926, I was with United Press and was Vice-President and General News Manager of United Press from 1920 to 1926. The books and records of NEA are in my custody and control. I have personally examined the same and the following facts are true as I verily believe:

NEA is a stock corporation organized for profit in Delaware. The majority of its stock is owned by E. W. Scripps Company. NEA owns all the stock of Acme News-pictures, Inc., a Delaware stock corporation organized for profit, hereinafter referred to as Acme. I am the President of Acme.

The Board of Directors of NEA is composed of the following: Fred S. Ferguson, Ralph H. Turner, Lee B. Wood, Herbert W. Walker, George B. Parker, William W. Hawkins and Roy W. Howard.

NEA, the oldest feature service in the country (1902), is engaged in furnishing to newspapers news pictures by "Telephoto," mat and mail, and a complete feature budget comprising news feature stories by regular staff men, special articles by noted writers, war maps, illustrations, widely recognized comics, cartoons, editorials, magazine pages for Sunday newspapers and other departmental material all shown on Exhibit 1 annexed hereto, and including the Washington Column of Peter Edson, one of the most widely used Washington columns, and outstanding woman's page material.

Acme renders a general all-inclusive news picture coverage from all parts of the world to newspapers in the United States, Canada, Australia, Mexico, South America, Great Britain, United States possessions and many other countries.

[fol. 1915] NEA and Acme are operated on a basis of efficiency of personnel and results obtained by the expenditure of money rather than on a basis of numbers of personnel and mere expenditures.

NEA service is sold on an exclusive basis to newspapers, as a group purchase, in three classifications. The first is the Full Service which includes everything NEA issues for newspaper use. The second is the Intermediate Service which includes a smaller quantity of the same material. The third is the Pony Service which includes a still smaller quantity of the same material.

Its service consists of pictures delivered by Telephoto, *i. e.*, by wire and wireless transmission direct to newspapers in the United States, Canada and Mexico; pictures delivered by airmail, courier, special messenger and train mail and, in general, all types of picture service including special rotogravure picture service used in the production of daily newspapers. Its service includes matted news pictures, such as full picture pages and individual mats.

The number of newspapers receiving picture service from or originated by NEA and ACME was 871 in 1940, 927 in 1941 and 1,060 in 1942. Annexed hereto and marked Exhibit 2 is a statement showing the types of picture serv-

ice rendered or originated by NEA anud Acme to its newspaper subscribers in those years. More than 1,000 domestic newspapers receive the feature service of NEA.

The total expenditures of NEA and Acme of conducting the business of their feature and picture services, excluding Federal Income Tax, for the years 1940-1942, inclusive, were:

	NEA	*Acme*	*Total*
1940	$1,902,697.39	$518,118.32	$2,420,815.71
1941	1,998,321.11	565,081.34	2,563,402.46
1942	1,983,515.21	609,942.08	2,593,457.29

In each of the years 1940-1942, inclusive, approximately one-half of the aggregate expenditures of NEA and Acme were in connection with their picture service.

[fol. 1916] The location of each bureau office, domestic and foreign, maintained by NEA and Acme in August, 1942, with the number of employees in each office and bureau was as follows:

Cities and States	*NEA*	*Acme*
Atlanta, Georgia	4	
Fort Worth, Texas	4	
Kansas City, Missouri	2	
New York	81	80
Iowa	1	
Cleveland	155	1
Florida	4	
Illinois	2	
Nebraska	1	
Los Angeles, Cal.	3	5
San Francisco, Cal.	4	4
Washington, D. C.	3	12
Boston		1
Detroit		1
Seattle		1
Chicago		14
Virginia		1
London, Eng.	2	1
	266	121

Planet News Pictures of London with over 100 employees interchanges pictures with Acme.

Before the outbreak of the present war Acme also maintained bureau offices in Berlin and Paris.

NEA and Acme are represented by UP foreign bureau offices where necessary.

The total number of NEA and Acme employees in August, 1942 was 385.

3 reporters and 6 photographers are presently representing NEA and Acme with the armed forces of the United States.

[fol. 1917] NEA features are sold by it to one one newspaper only in a city. The value of any NEA feature to a newspaper subscriber is dependent upon exclusive publication by it of such feature in its city.

Substantially all contracts between Acme or NEA and their newspaper subscribers, both in the United States and Canada, provide that the latter shall furnish to Acme or NEA all pictures collected or received by such newspaper subscribers in the ordinary course of business.

Acme purchased pictures during the years 1941 and 1942 from hundreds of persons and organizations.

Acme has kept a partial record of the "beats" or instances in which the news pictures of Acme have anticipated in time, or otherwise excelled the pictures furnished to newspapers by other picture services, including AP. A partial list of such "beats" is annexed hereto as Exhibit 3.

Annexed hereto and marked Exhibit 4 are copies of typical advertising and promotional material issued and distributed by NEA and Acme during the past 3 years.

Acme maintains a laboratory in Cleveland, Ohio, for scientific experimentation in the transmission of pictures by wire and wireless, etc. NEA owns numerous patents covering the transmission of pictures by wire.

Acme "Telephoto" service sends pictures entirely over telephone lines. It is established on a regional basis and is thus able to give immediate production on all picture news breaks. Pictures by Acme Telephoto cross the continent in 7 minutes.

In 1934 the American Telephone & Telegraph Company offered for sale its apparatus and patents for the wire transmission of pictures with which American Telephone & Telegraph had been experimenting for several years. I

declined to buy the American Telephone & Telegraph apparatus and patents and they were subsequently sold to The Associated Press. The reason I declined to buy the apparatus and patents from American Telephone & Telegraph Company was the cost of utilizing its apparatus in trans-
[fol. 1918] mitting pictures by wire. NEA and Acme had for several years experimented with the development of picture transmission machines upon which NEA held patents. These machines enabled pictures to be transmitted over ordinary telephone wires at an expense considerably less than that involved in a special leased wire system such as had been used by American Telephone & Telegraph and has since 1935 been used by the AP "Wirephoto" system. NEA and Acme have now, and for some years past, perfected their own picture transmitting machines so that imperfections incident to the transmission of pictures over ordinary telephone wires have been done away with.

At the present time there is no substantial difference between the stability in the flow of current over ordinary telephone wires than over specially leased picture wires nor is the result that pictures transmitted over the AP wire system likely to have less variations in intensity and to be more uniform.

In order to present visually the results of pictures transmitted by wire by Acme "Telephoto" and AP "Wirephoto" there are annexed hereto six sets of pictures. All six pictures are official United States Government photographs, not taken by either AP or Acme. Copies were delivered to Acme in the City of Washington. I am informed by a representative of The Associated Press that identical copies were delivered to AP in the City of Washington.

The Acme set of these pictures was transmitted by the Acme "Telephoto" wire system from Washington to New York and the six pictures annexed as Exhibit 5 listed as Acme pictures are the result of such transmission. I am informed by a representative of The Associated Press that the AP set of these pictures, hereto annexed as Exhibit 5A, listed as AP pictures, are the result of the transmission of these pictures from Washington to New York by the AP "Wirephoto" system.

In my opinion there is no substantial difference in the quality of the pictures resulting from their transmission
[fol. 1919] by wire between the Acme "Telephoto" system

and the AP "Wirephoto" system, but the Acme "Telephoto" system is less expensive.

The excellence of the Acme "Telephoto" machines is evidenced by the selection of these machines by the Signal Corps of the United States Army for transmission by it of pictures from numerous war fronts. Acme is a member of the war picture pool which was organized under the orders of the War and Navy Departments. This is a non-exclusive pool to which any reputable organization may be admitted which is able to provide the same number of efficient photographs and the same production facilities as other members of the pool. No accounting is made by the pool. It is completely cooperative and each party is compensated by the others in kind.

The provisions of the contract between Acme and The Chicago Tribune providing for the exclusive use in the City of Chicago by the Chicago Tribune arose at the time Acme purchased P&A Photos, Inc., a company owned by the Chicago Tribune and the New York Daily News. The exclusive provision of the contract was terminated on July 1, 1942. Immediately upon such termination, I endeavored to enter into a contract with the Chicago Sun for the use of Acme pictures and Acme continued so to endeavor but did not succeed in negotiating a contract with the Sun until December 8, 1942.

From December 8, 1942, to the present, responsible employees of the Chicago Sun have frequently expressed praise of the Acme service.

I have read the affidavit of Sid Mautner, filed in behalf of the plaintiff on this motion. Of the 32 pictures listed therein, on pages 208 to 211, of which Mr. Mautner says he "was not able to procure these pictures for the Sun or else did not procure them until after they ceased to be news items", 13 were actually transmitted to the Sun by Acme on the date given in Mr. Mautner's affidavit or the day [fol. 1920] before. Of the remaing 19, virtually all were obviously inconsequential pictures of no news importance.

One of the pictures listed in Mr. Mautner's affidavit, on page 209 under date of January 13, 1943, is the picture of the five Sullivan Brothers who were lost on the same battleship. Acme, in fact, transmitted a picture of the five Sullivan Brothers to the Sun on January 12 at 8:30 P. M. C. W. T., in ample time for its use by the Sun on January 13. Again Mr. Mautner lists, on page 209, under date of

December 28, 1942, a picture of a train wreck at Dixon, Illinois. Dixon is only one hundred miles from Chicago and the story of the wreck was handled as a local story, none of the picture agencies covered it. At page 210, under date of February 12, 1943, Mr. Mautner lists a picture of Marine veterans of Guadalcanal. The fact is that on February 10th, two days earlier, Acme transmitted to the Sun pictures showing Marines on Guadalcanal firing a farewell volley over graves and on February 11th a picture of Marines embarking from Guadalcanal. On page 209, under date of January 8, 1943, Mr. Mautner lists an aerial view of Henderson Field, the airport on Guadalcanal. On December 21, more than two weeks earlier, Acme transmitted aerial views of this field to the Sun. On page 210, under date of February 9, 1943, Mr. Mautner lists a picture of General MacNider recovering from wounds received in action, but the fact is that on February 2nd, a week earlier, Acme transmitted to the Sun a picture of General MacNider convalescing in a hospital in Australia. On the same page, under date of March 3, 1943, Mr. Mautner lists a series of pictures copied from German newspapers showing troops in action in Tunisia. Apparently these pictures were not available either to AP or Acme, but on March 2nd, the day before, between 8:50 and 9:30 A. M., Acme transmitted to the Sun three pictures of German troops in Tunisia. The Sun used only one of these pictures. Also on February 2nd Acme transmitted to the Sun 4 pictures from German sources of Tunisia and North African campaigns. The Sun used none of these pictures.

[fol. 1921] At the opening of the Illinois legislature in January 1943, Acme was the only newspicture agency having wire transmission facilities for the coverage of the legislative session. It maintained a Telephoto transmitting machine in Springfield. The pictures of the opening of the legislature were exclusive to Acme's Chicago clients.

In the period from December 15, 1942 to March 17, 1943, Acme delivered a total of 1,060 pictures by wire (exclusive of mail delivery) to the Chicago Sun and the Chicago Tribune. Of these the Sun used 392, the Tribune 122. Of the 122 used by the Tribune, 67 were not used by the Sun. Obviously the picture editors of the Sun and the Tribune made selections of pictures for use upon the basis of their own judgments.

The pictures which prior to the war had the largest distribution both in the United States and throughout the world were pictures of the Dionne Quintuplets. During the five-year period, 1934-1939, NEA had the exclusive world-wide rights to these pictures.

Neither NEA or Acme have been prevented from getting pictures in the United States or the Dominion of Canada by reason of the provisions of the By-laws of The Associated Press or of the Canadian Press, or otherwise.

Acme does not keep a record of the number of pictures gathered or received by it. No cumulative record is kept to show the number of pictures received from other organizations. The relative importance of news pictures and organizations supplying the same constantly changes by reason of changes in the current importance of news and the availability of news pictures of important events. Approximately 80 news pictures are delivered weekly by Telephoto wire transmission to newspaper subscribers receiving the full service. Approximately 350 additional pictures are delivered during the course of a week to Acme newspaper subscribers by means other than Telephoto wire transmission.

[fol. 1922] Acme maintains a news picture library consisting of more than 1,000,000 pictures.

Annexed hereto, marked Exhibit 6, is a map showing the wire transmission system in the United States used by Acme for the transmission of news pictures by Telephoto.

Fred S. Ferguson.

Sworn to before me and subscribed in my presence this 17th day of June, 1943. Carl B. Molander, Notary Public. (Seal.)

Full Service

814 Mission Street
SAN FRANCISCO

NEA SERVICE, INC.
MAIN OFFICE 1200 W. Third St., CLEVELAND, OHIO

461 Eighth Avenue
NEW YORK

1923

1570

NEA FULL SERVICE

Newspictures

Fast and complete Telephoto coverage daily, with speediest transmission over telephone lines, and mailing from regional bureaus in New York, Atlanta, Cleveland, Chicago, Kansas City, Fort Worth, and San Francisco.

Pictures of particular interest to each locality from regional bureaus.

●

Picture Magazine Page

(Issued daily from Cleveland)

A complete and balanced program of feature pictures, picture-stories, preparedness and background photos.

News-Maps, animated graphs, artists' drawings, photomontages, etc.

●

Sports Page

(Issued daily from New York)

"Grayson's Scoreboard," sports column, by Sports Editor Harry Grayson . . . Daily

Lead sports story by Harry Grayson, Burton Benjamin, Jimmy Donahue, or special writers, illustrated . . . . . Daily

Sports Newspictures . . . . . Daily

Special features, in series form, on big sports subjects.

Special preparedness and coverage of big sports events.

"In This Corner," sports cartoon

"Sports Shorts," including sports fillers and jestillers . . . . . Daily

Special articles by sports authorities, in season.

Rookie Roundup . . . . 1-col. daily, spring

"Pro Pointers," golf feature . . . . . 3 times weekly, summer

Swimming Lessons . . Special series, summer

"Follow the Ball," football feature . . . 3 times weekly, fall

Basketball Problems . . Special series, winter

Around the Track . . . Special series, spring

Bowling . . . . . Special series, winter

Tennis . . . . . Special series, summer

News-Magazine Page

(Issued daily from New York)

Illustrated news feature stories on topics of current interest and importance.

Special features, in series form, based on big news events, illustrated and accompanied by adequate promotion.

Special world-wide feature service including newspictures and news features of important events.

Advance preparedness of art and features on holidays and scheduled news events, such as prize fights, conventions, world series, etc.

Thomas M. Johnson (Military expert) . Occasional

Outstanding series by "big name" contributors covering the broad field of human relations . . . Occasional

●

Women's Page

(Issued daily from New York)

Illustrated features of general interest to women, by staff and special contributors . . Daily

Fashion articles from New York and Hollywood: illustrated by exclusive sketches and photographs . . . . . Three times a week

Fashion newspictures . . Three times a week

"We, the Women," advice column by Ruth Millett . . . . . Daily

"Glorifying Yourself," beauty hints by Alida Hart (feature art layout once each week) . Daily

"Modern Menus," food feature by Mrs. Gaynor Maddox. (Photographic and sketch illustrations occasionally) . . . . . Daily

Interior decoration feature; illustrated . Seasonal

"Handies," women's page shorts and fillers Daily

"Men's Modes," a fashion feature for men, by Walter C. Parkes; illustrated . . Seasonal

Holiday shopping hints and editorial features tying in with special shopping editions . . . Frequent during year

1571

NEA SUNDAY COMICS

The World's Best Comics, available in Readyprint sections with your own masthead, or separately in mat form in colors or black and white, in following sizes:

STANDARD full-page size:

- OUT OUR WAY (The Willets)
- OUR BOARDING HOUSE
- BOOTS (with Babe 'n' Horace)
- CAPTAIN EASY
- RED RYDER

STANDARD half-page size:

- OUT OUR WAY (The Willets)
- OUR BOARDING HOUSE
- BOOTS
- CAPTAIN EASY
- BIFF BAKER
- THIS CURIOUS WORLD
- FRECKLES
- ALLEY OOP
- CARNIVAL
- RED RYDER
- BRENDA BREEZE
- BUGS BUNNY
- BABE 'N' HORACE (and Boots Cutouts)

TABLOID full-page size:

- OUT OUR WAY (The Willets)
- OUR BOARDING HOUSE
- BOOTS (with Babe 'n' Horace)
- CAPTAIN EASY
- ALLEY OOP
- BIFF BAKER
- CARNIVAL
- RED RYDER
- BRENDA BREEZE
- BUGS BUNNY

TABLOID half-page size:

- FRECKLES
- THIS CURIOUS WORLD
- BOOTS
- BABE 'N' HORACE

Sunday PANELS:

- THE COMIC ZOO with Out Our Way
- THE NUT BROTHERS with Our Boarding House
- MR. MERRYWEATHER with Carnival
- LITTLE BEAVER with Red Ryder
- CAVEMAN PANEL with Alley Oop
- BOOTS FASHION CUT-OUT

14 Mission Street
SAN FRANCISCO

NEA SERVICE, INC.
MAIN OFFICE 1200 W. Third St., CLEVELAND, OHIO

461 Eighth Avenue
NEW YORK

11-14-42

1925

1572

EVERYWEEK
THE NEA MAGAZINE

EveryWeek offers a complete full-page mat service, adaptable to either daily or Sunday newspaper requirements.

All pages are attractively illustrated with exclusive photographs or drawings by well-known artists.

Six pages are released each week. Four of the six pages have fixed subjects. They are:

1. Short Story Page
   First-run fiction by popular authors.
2. Science Page
   Authoritative text handled in popular style.
3. Hollywood Page
   Current news, humor and comment about the moving picture studios.
4. Human Interest Page
   True life stories of universal appeal.

The remaining two pages are devoted to subjects of unusual interest or timeliness. They range through such subjects as:

Illustrated spot news features.

Household subjects and articles of feminine interest.

War maps.

War and Defense Topics.

Background and interpretive stories.

Holiday Pages.

Two of the six pages are designed for reproduction in color, as well as in black and white.

Bluboro proofs of text, and prints of illustrations are supplied instead of mats if desired.

814 Mission Street
SAN FRANCISCO

NEA SERVICE, INC.
MAIN OFFICE 1200 W. Third St., CLEVELAND, OHIO

461 Eighth Avenue
NEW YORK

1926

NEA FULL SERVICE

Editorial Page

(Issued daily from Cleveland)

Editorials by S. Burton Heath on subjects of national interest . . . . . Daily

Editorial Cartoon, by Herblock . . . . . Daily

"Peter Edson's Washington Column" . . Daily

"In Hollywood," movie column . . . . Daily

"Barbs," pithy paragraphs . . . . . Daily

"So They Say" (Comments by Celebrities in the News) . . . . . Daily

●

Advance Release Features

Two special pages, mailed each Monday in the regular service from Cleveland, containing copy for a full week's supply of the following editorial features:

Bridge—"McKenney on Bridge," with mats for the six daily columns.

Quiz—Six daily releases of "Mind Your Manners," etiquette feature.

"Highlights From Latest Books," reviews on the best books of the week, fiction and nonfiction.

Weekly Sunday School Lesson, by the Rev. Dr. William E. Gilroy.

"Thoughts," six daily releases of short quotations from the Bible and classics.

Shorts: a full column of two- and three-line justifiers.

One-Liners: a column of paragraph justifiers with one-line heads.

Aviation and Auto Shorts: column of specialized shorts for auto section.

"V for Victory" shorts: highlights from the production front.

Weather Cartoons: (occasionally) half-column illustrations to illustrate daily forecasts.

Daily Comics and Art Features

(Mailed weekly from Cleveland)

—Strips—

"Boots and Her Buddies" (Girl Strip), by Edgar Martin

"Alley Oop" (That Funny Cave Man Strip), by Vincent Hamlin

"Red Ryder" (Western Adventure), by Fred Harman

"Freckles and His Friends" (Juvenile), by Merrill Blosser

"Wash Tubbs" (Adventure), by Roy Crane

All strips are available in either 4 or 5 column size.

—Panels—

"Out Our Way," by J. R. Williams . . 2½ or 3-col.

"Our Boarding House" (Major Hoople) . . . 2½ or 3-col.

"Side Glances" (Human interest sketches), by Galbraith . . . . . 2-col.

"Funny Business" (Daily gag panel) . . 2-col.

"Hold Everything!" (Farce comedy) . . 1-col.

—Art Features—

"This Curious World" (Art oddity feature), by Wm. Ferguson . . . . . 2-col. Daily

Crossword Puzzles . . . . . 2-col. Daily

"War Quiz" (timely test feature); illustrated . . . . 1-col. Daily

●

Pattern Services

(Special orders required)

"Today's Pattern," complete dress pattern service . . . . . 1-col. Daily

"Anne Cabot's Needlecraft Corner"—complete needlecraft pattern service 1 or 2-col. Daily

●

Fiction

Complete daily fiction program for the entire year. Illustrated and fully promoted.

●

Supplementary morgue service, mats of important persons, stock heads, etc.

1927

1574

11-13-42

1928

[fol. 1929]

Newspapers Receiving Picture Service from or Originated by Acme Newspictures, Inc.

	Telephoto Machine Service	Telephoto Drop Copy Service	Acme Telephoto Mat Service	Other Acme Service	Unduplicated NEA Service Daily Clients	Unduplicated U.F.S. Picture Mats Clients	NEA Weekly Service Clients	Total
1940.....	31	12	47	64	617	...	104	871
1941.....	34	13	46	66	620	...	142	927
1942.....	31	15	39	79	636	166	94	1060

NOTE: Under NEA Service daily clients are included eight papers in 1940 and 1941 in U. S. territorial possessions; in 1942—6.

[fol. 1930] EXHIBIT 3

(1930)—

1/ 3/30—First Photos of Navy Mine Sweeper.
1/ 8/30—First Photos of Transatlantic Airplane Crash.
1/19/30—First Photos of Royal Wedding in Rome.
1/20/30—First Photos of TAT Airline Crash in San Clemente, Calif.
1/22/30—First Photos of Cleveland, Ohio, School Bus Crash.
1/28/30—First Photos of Kansas City Airline Crash.
2/11/30—First Photos of Liner Burning at N. Y. Pier.
2/24/30—First Photos of Train Wreck at Kenosha, Wisconsin.
3/ 4/30—First Photos of Arctic Plane Crash.
4/ 2/30—First Photos of Byrd's Return from Antarctic.
4/ 3/30—First Photos Fireworks Plant Blast—Philadelphia.
4/ 5/30—First Photos Oklahoma's "Wild Oil Well"
4/20/30—First Photos of Ohio Penitentiary Fire.
4/29/30—First Photos of London Naval Pact Signed.
—First Photos of Naval Delegates Return to New York.
5/22/30—First Photos of Burma Quake.
5/31/30—First Photos of N. Y. Arrival of Graf Zeppelin.
6/13/30—Only Photo of Schmeling Fouled by Sharkey.
6/14/30—First Photos of Death Rode with Seagrave.
—First Photos of Derby at Epsom Downs.
7/ 4/30—First Photos of Chicago Flyers after 23 days in Air.

EXHIBIT 3—Continued

7/ 9/30—First Photos of Lindbergh Baby.
7/31/30—First Photos of Italian Earthquake.
8/ 1/30—First Photos of Arrival of the R 100 Dirigible at Montreal.
9/ 2/30—First Photos of Rescue of Andree Polar Expedition.
—First Photos of Dr. Gunnar Horn Returning from Arctic Rescue.
9/10/30—First Photos of Buenos Aires Overthrow of Argentine President.

(1931)—

1/ 6/31—First Photos of Marshall Joffre's Body lying in State.
1/ 8/31—First Photos of Funeral of Marshall Joffre.
1/29/31—First Photos of Indiana Mine Disaster—Linton, Ind.
3/28/31—First Photos of Viking Sealing Ship Explosion off Newfoundland.

[fol. 1931]

4/ 1/31—First Photos of Plane in which Rockne died.
4/ 3/31—First Photos of Nicaraguan Quake.
4/21/31—First Photos of Spain's "bloodless" revolution.
5/24/31—First Photos of Army's Air Show over New York.
6/21/31—First Photos of Ship's Doctor Bringing New Evidence in Starr Faithfull Mystery.
7/ 1/31—First Photos of World Flyers on Return to United States (at Cleveland).
7/ 3/31—First Photos of Schmeling Victory in Cleveland.
7/19/31—First Photos of Albert Fall on Way to Penitentiary.
7/25/31—First Photos of Pittsburgh Home for Aged Fire.
7/30/31—First Photos of World Flyers Stop at London.
8/ 8/31—First Photos of Lindbergh in Far North.
9/23/31—First Photos of Navy Grant Dirigible Take the Air (Akron, Ohio).
10/ 6/31—Picture Scoop—Pangborn first to Fly Pacific (nonstop).

EXHIBIT 3—Continued

10/ 9/31—First Photos from Front in Jap-Chinese War.
10/19/31—First Photos of Los Angeles Trunk Murders.
10/20/31—First Photos of Woman Hunted in Trunk Murder.
10/22/31—First Photos of Laval in U. S. for Conference with Hoover.
10/23/31—First Photos of Winnie R. Judd Surrenders in Trunk Murder.
11/17/31—First Photos of West Va. Lovers Lane Murder.
11/25/31—First Photos of Manchurian Front.

(1932)—

1/ 5/32—First Photos of Young Desperadoes Capture (Houston, Tex.).
2/17/32—First Photos of Shanghai at War.
3/ 2/32—Unpublished Photos of Lindbergh Baby.
3/ 7/32—Exclusive Pictures of Three Killed in Red Riot (Detroit).
3/22/32—First Photos of Death, Ruin in Wake of Tornado (Alabama).
4/ 1/32—First Photos of Supreme Court with New Member.

(1933)—

1/ 5/33—Scoop—Arrival of Burning French Liner.
2/10/33—First Photos of Kentucky Cult Murder.
2/11/33—First Photos of Kentucky Cult Sacrifice Murder.
2/24/33—First Photos of Mrs. Roosevelt's Wardrobe.
[fol. 1932] 2/12/33—First Photos of German Blast.
2/16/33—First Photos of Roosevelt Assailant and Attack at Miami, Florida.
3/11/33—First Photos of California Quake.
3/17/33—First Photos of New U. S. Money.
4/21/33—First Photos of Dirigible Macon in Flight.
5/23/33—First Photos of J. P. Morgan as he takes stand in Senate Inquiry.
6/20/33—First Photos of World Economic Conference.
8/13/33—First Photos of Cuban Revolt.
9/13/33—First Photos of Balloonists' Rescue.
9/18/33—First Photos of Einstein in Exile.

EXHIBIT 3—Continued

11/23/33—First Photos of Chicago's Eerie Murder Mystery.

(1934)—

8/ 4/34—Exclusive Picture Scoop—Birth of Dionne Quintuplets.
8/23/34—Exclusive Drouth Pictures—Margaret Bourke White.
9/10/34—Exclusive Pictures of Cup Contenders (Yacht Races) Margaret Bourke White.

(1935)—

2/24/35—Exclusive—Candid Shots of Roosevelt at Work.
4/24/35—Exclusive—Photos from Chaco War Area.
5/27/35—First Photos of Weyerhauser Kidnapping (Tacoma, Wash.).
8/29/35—Exclusive—Photos by Margaret Bourke White on Labor Day.
9/21/35—Exclusive—Photos of Dionnes and Visiting Crowds.
9/25/35—Exclusive—Photos from Ethiopian War.
10/ 5/35—First Photos from Italian Front in Africa.
10/11/35—First Action Photos from Ethiopian Front.
12/16/35—First Photos of Bombing of Dessy (Ethiopia).

(1936)—

6/25/36—Exclusive—Photos Behind the Scenes at Democratic Convention.
12/12/36—First Photos of Great Britain's New Monarch.

(1937)—

3/23/37—Picture and Story of Interview with Cuba's Dictator.
5/12/37—First Photos of Coronation.
5/23/37—Exclusive—Photos of J. D. Rockefeller's last years.

[fol. 1933] (1938)—

1/ 5/38—Exclusive—First Photos of Rescue of 15 Lost Canadian Miners.
3/11/38—First Photos of Rescued Soviet Scientists in Arctic.
3/18/38—First Photos from Nazi Austria.

EXHIBIT 3—Continued

3/21/38—First Photos of Hitler and Nazi Legions in Austria.
3/29/38—First Photos of Barcelona Bombing.
6/30/38—First Photos of Chinese Flood.

(1939)—

1/16/39—First Photos (Exclusive) Military Expert's Opinion on President's Defense Message.
1/23/39—Only Photo of General View of Rescue Ship "Esso."
3/29/39—First Photos of Fall of Madrid.
4/20/39—Exclusive Photos of Poland Going to War.
6/29/39—First Photos of Russo-Jap War in Mongolia.
8/31/39—First Photos of Polish Populace Preparing for War.
9/ 8/39—First Photos of the Sinking of the Athenia.
9/15/39—First Photos of Nazis Occupying Gdynia.
—Exclusive Photos of Warsaw Civilians Wounded.
9/17/39—Exclusive Photos of Russia in Arms.
9/27/39—First Photos of New Dalai Lama.
12/14/39—First Photos of Graf Spee Victims.
12/22/39—First Photos of "Home Life" Inside Maginot Line.
12/29/39—Exclusive Photos from Finnish Front Line.

(1940)—

1/ 3/40—First Photos of Turkish Earthquake.
1/16/40—Exclusive Photos of War in Finland.
1/31/40—Exclusive Photos of Red Army Dies on Finland's Frozen Fields.
2/ 1/40—Exclusive Photos of Slovakian Jews Fight Sub-Zero Cold in "No Man's Land."
3/ 5/40—First Photos of Live Russian Troops.
4/12/40—First Photos of Nazis Occupying Oslo.
4/25/40—First Photos of Nazi Warships in Trondheim.
5/ 3/40—First Photos of Flying Nazis Invading Norway.
5/11/40—First Photos of Civilian Bombings in France.
5/17/40—First Photos of War in the West.
5/31/40—Exclusive Photos of BEF Troops back from Dunkirk.

EXHIBIT 3—Continued

[fol. 1934] 6/ 3/40—First Photos of Paris Bombing.
8/ 9/40—Exclusive Photos of Nazi Planes Crashing.
10/16/40—Exclusive Photos of Germans in Paris.
10/21/40—First Photos of Japanese in French Indo-China.

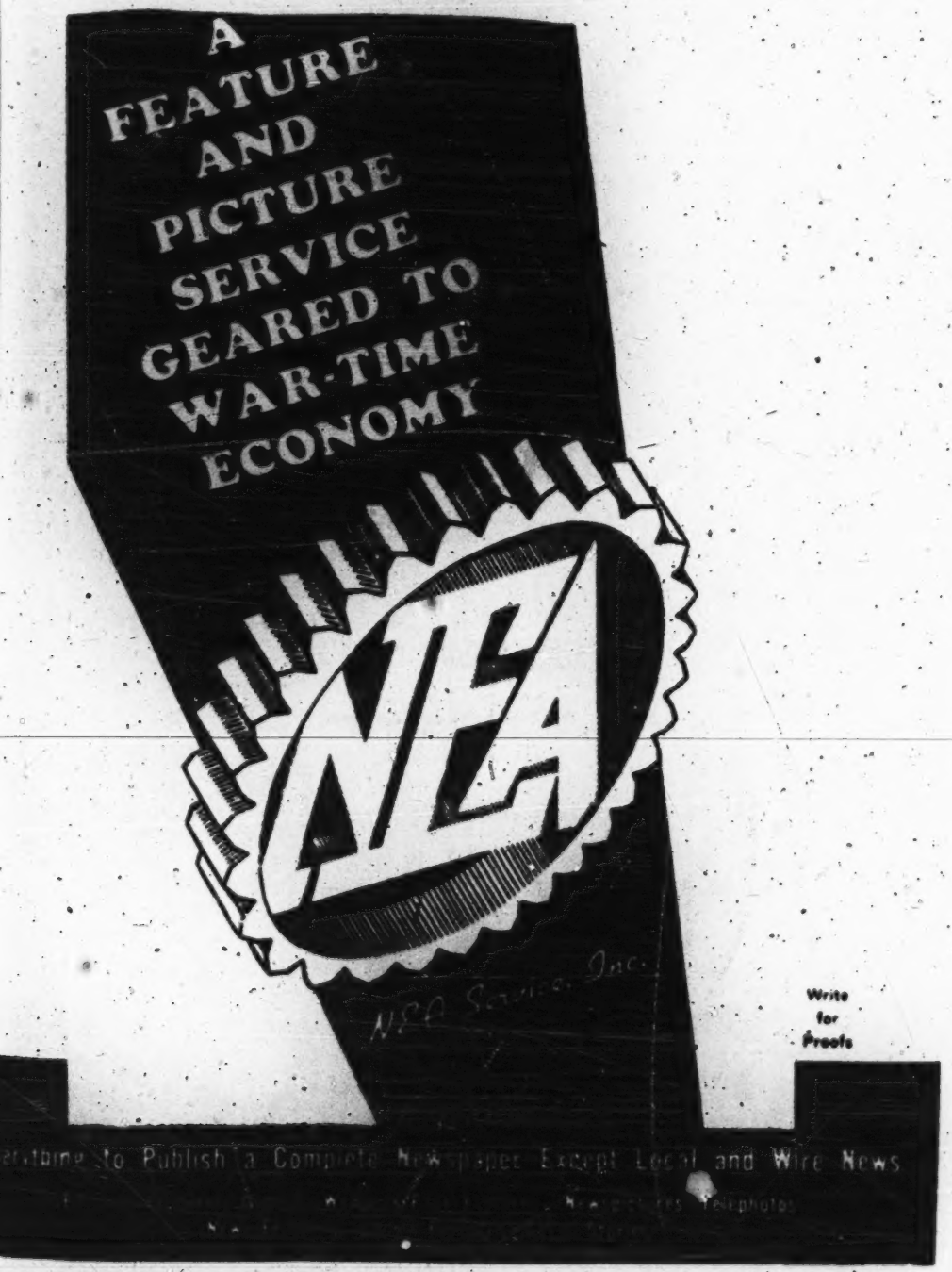
(1941)—

1/ 7/41—First Photos of London Bombing.
3/22/41—First Photos of Navy's Newest and Biggest Bomber.
4/ 7/41—First Photos of Germans Burning Yugoslav Border Post.
4/ 9/41—Exclusive Photos of Blitz Buggies Idle Inside Strike-bound Ford Plant.
5/ 7/41—First Photos of German Battleship in Action on Atlantic.
5/15/41—First Cable Photos of Hess Plane, His Captors and London Bombing.
5/31/41—First Photos of Bismarck Sinking.
6/19/41—First Photos of Robin Moor Sinking.
7/15/41—First Photos of Combat Close-Ups of Russo-German Front.
12/19/41—First Photos of Mass Executions of Yugoslavians.
12/16/41—First Photos, 13 exclusive, of attack on Pearl Harbor.

(1942)—

1/ 4/42—First Photos of U. S. Troop Convoy in Pacific.
1/11/42—Exclusive Photos of Japs Hong Kong Attack.
2/20/42—First Photos of Philippine Pictures Since War.
3/ 7/42—First Photos of Bomb Damage in Australia.
3/12/42—First Photos of Battle of Malaya.
3/26/42—First Photos of Evacuation of Manila.
3/10/42—First Photos of U. S. Flyers in Australia.
4/10/42—First and Exclusive Photos of U. S. Ferry Pilots on Supply Route through Africa.
3/30/42—First Photos of Fighting in Philippines.
3/21/42—First and Exclusive Photos of Aftermath Chinese Victory.
4/ 9/42—First Photos from Bataan.
8/30/42—First Photos of Marines in Solomons.

EDITOR & PUBLISHER
1942 INTERNATIONAL YEAR BOOK

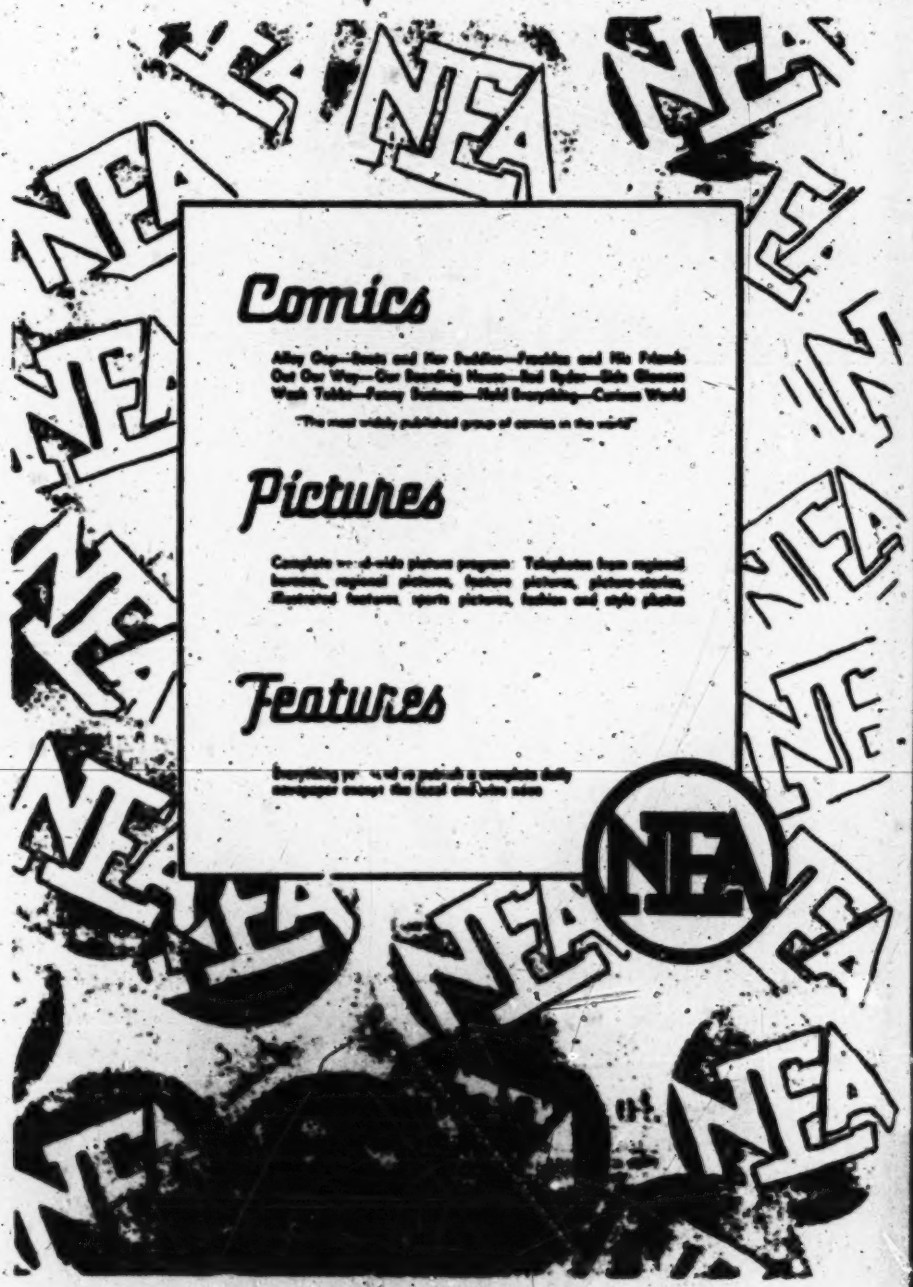


1935

1582

April 19-1941

EDITOR & PUBLISHER



1936

EDITORS: Your exploitation of the NEA Telephoto Service is sure to your readers ... big news! Play it for all it's worth. Tell 'em you're out ahead with pictures, and you'll sell your newspaper. Feature surveys show pictures must only be usable to readers interest. Make for all illustrations produced. You can repeat each ad a number of times.

(Name Paper) Adds NEA Telephoto Service—Newspictures Sent Over Telephone Wires

Readers Are Given Benefit of Quickest Possible Photo Coverage

Better Newspictures—Faster

Telephoto Trans-Caster Is Machine That Makes Service Possible

This newspaper is adding the NEA TELEPHOTO Service. When "spot news" is the theme of the day, you'll find pictures of important developments in the Second World War. Through the marvel of TELEPHOTO, these pictures are rushed to this newspaper with almost the speed of the news itself. They go over or under the sea by radio or cable. They cross the country on seven miles of telephone wires. Every facility of modern science is used to get pictures to you in the shortest possible time. Keep up-to-date with this newspaper!

Watch for NEA Telephotos exclusively in

(NAME YOUR PAPER)

Today's Pictures with Today's News!

NEA Telephoto Service

Exclusive in this newspaper!

PICTURES BY TELEPHONE

Provided by the most efficient picture gathering facilities of this newspaper, have been increased by the addition of

NEA TELEPHOTO Service

Exclusive in this newspaper!

Now... THE NEWS OF THE WORLD IN Pictures

RUSHED TO YOU by Telephoto

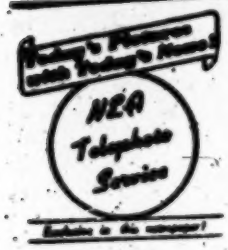
Better Newspictures—Faster

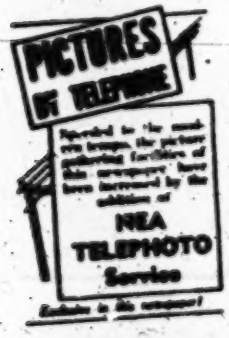
Readers Are Given Benefit of Quickest Possible Photo Coverage

Telephoto Trans-Ceiver Is Machine That Makes Service Possible

Watch for NEA Telephotos exclusively in

(NAME YOUR PAPER)





1937

1583

NEA Puts the NEWS In NEWS-Features!

NEA syndicates are right at home in all NEWS on the front page because that's what they are—NEWS-Features! . . . Editors everywhere open their NEA packages to find that EXCLUSIVE story which will set their front pages apart from other front pages . . . Fresh, alive, vital and briskly written stories come to NEA from its staff writers and special correspondents in all parts of the globe—and go out to you dressed in illustrations provided by NEA's world-wide photographic resources and staff of crack artists . . . In its features as in its pictures, NEA keeps pace with the rapid march of world events.

The NEA Service — **Daily News-Magazine** —For Feature Stories That Are "on Top" of the News

E&P Aug 30 1941

MAY we tell you more about Acme Telephoto? May we show you, for instance, how regional boroughs covers blanket coverage of the entire counties? A letter will bring complete details.

ACME

Let Acme Newspictures Help You Solve the Zinc Problem!

Starting February 15, newspapers will be allowed to use only one-half the zinc for engravings that was used in a similar period last year.

The answer is the use of as many mats as possible. Not only will this save zinc, but it will save money.

Every day Acme Newspictures produces the equivalent of a full standard newspaper page of matted pictures—available as a full-page or in chopped mat form.

Through the use of Acme Newspictures' mats your engraving problem can be solved, to a considerable extent.

Write or Wire for Territory and Rates!

Acme Newspictures, Inc.

West Third and Lakeside Ave. Cleveland, Ohio

1/30/43 - Ed + Pub.

1587

From War Front to Home Front—*in 7 Minutes!*

THIS picture of U.S. troops at Gafsa, on the Tunisian front, was delivered to American newspapers only a few hours after the photographer had snapped it.

From the field in North Africa to the United States, the U.S. Army sent the picture in seven minutes!

For the first time in our history pictures of American troops in action on foreign soil are being sent direct from the battle-front to readers back home by wire and wireless.

The U.S. Army knew American newspaper readers wanted pictures of the boys at the front—wanted them while the pictures were NEWS. To satisfy this demand special Telephoto equipment must be designed and manufactured. This machine must flash a picture signal over both land wire and radio channels.

Engineers of Acme Newspictures undertook the difficult job of developing such equipment. In two and one-half months they had built the equipment. The Army flew it to Africa, started transmission of pictures to the United States.

Americans picked up their newspapers, saw pictures of war action alongside spot news dispatches that described the action.

Signal Corps enterprise and Acme know-how had done the job.

Acme is proud to have had a part in this service to the Army and the American home front.

ACME NEWSPICTURES, Inc.

461 Eighth Avenue
New York

1940

1588

Editor & Publisher Dec 20-1941

FIRST!

FIRST With 13 Exclusive Pictures of Japanese Attack on Hawaii.....

NEA Service and Acme Newspictures gave clients a picture beat this week on the most important story of our time. They served thirteen exclusive pictures from Hawaii that were available through no other source. The importance of the pictures was shown by the play they received in papers everywhere.

The history-making shots were taken by Alan Campbell, NEA-Acme staff photographer in Honolulu, rushed to Washington, and transmitted over the nationwide NEA-Acme telephoto wires the instant they were released by censor. Newspapers with Acme Telephoto Transceivers received them immediately in print form. NEA clients received them as telephoto mats mailed from regional bureaus.

Thus did NEA-Acme perform on the first big picture-story of the war. Thus, once again, did NEA and Acme underline the fact that your picture coverage isn't complete unless you have NEA-Acme protection. Find out about it today!

WRITE OR WIRE FOR PROOFS OR RATES... NOW!

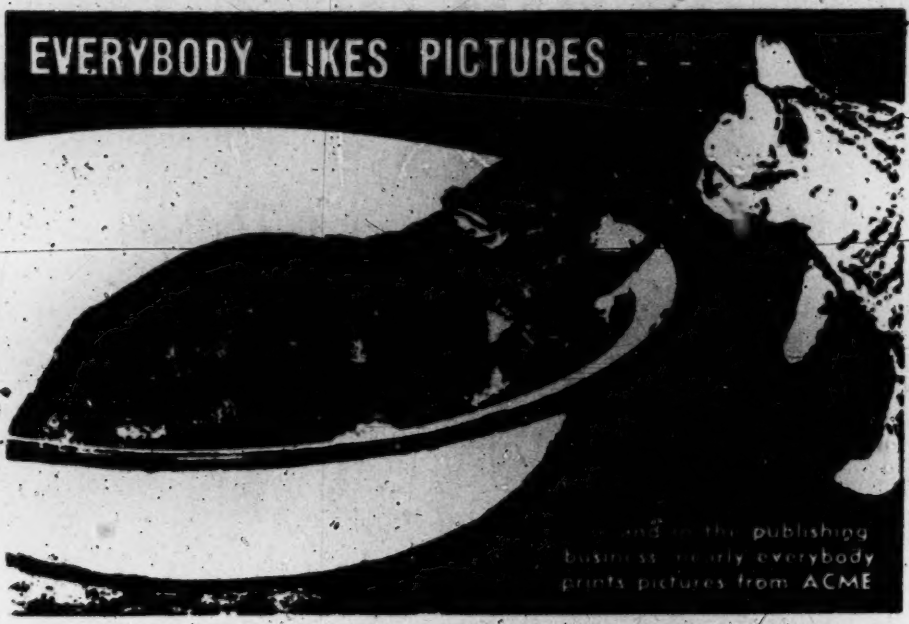
NEA Service, Inc. — Acme Newspictures, Inc.

1941

1589

FOR AUGUST 2, 1941 Ed + Pub Aug 2-1941

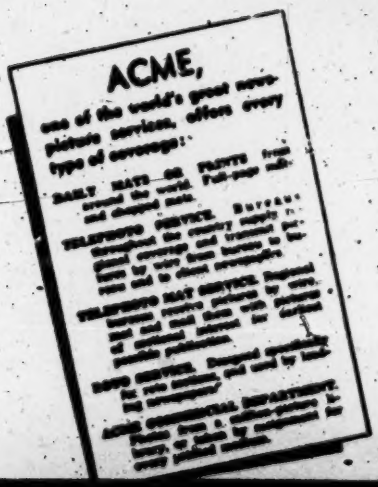
EVERYBODY LIKES PICTURES



We said nearly everybody printed ACME pictures. Here are a few of the ACME subscribers:

New York Daily News	New York Herald-Tribune
New York World-Telegram	Boston Post
Boston News	Boston Journal Herald
Milwaukee Journal	Des Moines Register and Tribune
Omaha World-Herald	St. Louis Star-Times
New Orleans Item	Los Angeles News
San Francisco Call	Seattle Times
Louisville Courier-Journal	St. Paul Pioneer Press and Dispatch
Akron Beacon-Journal	Houston Chronicle Journal
Boston Globe	Philadelphia Record
Philadelphia Bulletin	Philadelphia Inquirer
Chicago Tribune	Chicago Daily News
Buffalo News	Detroit News
Atlanta Journal	Kansas City Journal
Dallas Journal	Denver News
Minneapolis Star-Journal	Washington Times-Herald

Life, Saturday Evening Post, Time, Newsweek, Collier's, J. Walter Thompson, Arthur Kudner, Inc., N. W. Ayer, B. B. D. & O., Young and Rubicam.



In a period marked by the shrinkage of newspicture agencies, ACME has grown in strength and scope. ACME today serves more newspapers, magazines and commercial clients than ever before.

A N

1942

1590

Acme Telephoto OUT AHEAD ON GEORGIA PLANE CRASH!

And this is the way editors want to know!

And this is the way they wired to ACME!

"THANKS FOR EXCELLENT SERVICE AND TRANSMISSION OF EASTERN AIRLINES WIRE. WE WERE 27 MINUTES AHEAD WITH YOUR SUPERB ACTION."

"YOUR PHOTOS ENTIRE AIRLINES CRASH BEST (X X) IN TOWN."

"WE WERE SO MUCH IN EXCELLENT TO MIAMI TO SEND TO ORIGINAL."

"WE WERE GLAD YOUR TELEPHOTOS FAMILY AND [illegible] SCOOP THE OPPOSITION [illegible] OF ALL DAY."

And then the telegrams started from the NEA and ACME mat clients

"CONGRATULATIONS ON SPLENDID COVERAGE OF ATLANTA PLANE CRASH. ALL PHOTOS YOU SENT WERE DELIVERED IN TIME TO PRINT 10 MINUTES IN ADVANCE OF ANY OTHER PAPER IN THIS FIELD."

"YOUR PHOTOS ENTIRE AIRLINES CRASH BEST (X X) IN TOWN."

"THANKS FOR EXCELLENT SERVICE AND TRANSMISSION OF EASTERN AIRLINES WIRE. WE WERE 27 MINUTES AHEAD WITH YOUR SUPERB ACTION."

Only NEA brings telephoto coverage together with top-notch comics and features!

1943

NEA Service, Inc., 1200 West Third St., Cleveland, Ohio

An example of ACME's alert handling gave The Cleveland Press a scoop on a local personality

The same picture appeared in the Cleveland News 3 columns on page one on Monday, Jan 18

No newsworthy picture is ever scrapped by Acme merely because it affects only a single community. Before that picture is filed away the editor of the local paper is called and asked if the picture is usable to him. Such occurrences often develop into scoops

Acme Newspictures, Inc. West Third and Lakeside Ave., Cleveland, O.

1944

Short Takes

Bright Ideas

NEA MAPS *interpret* WAR NEWS!

FRONT-PAGE-WORTHY . . .

They tie right in with page one WAR NEWS, so readers actually "see" as well as read WHERE latest Allied action takes place.

"Exactly What We Need," says Glen Perrin,

Time-saving
Economical
Right [illegible]

"They're Indispensable"

On behalf of our entire staff, as the regular Budget Service to NEA client newspapers

NEA Service, Inc. . . . New York . . . Cleveland . . . Since From 1919

[fol. 1946] EXHIBITS 5 AND 5A FOLLOW

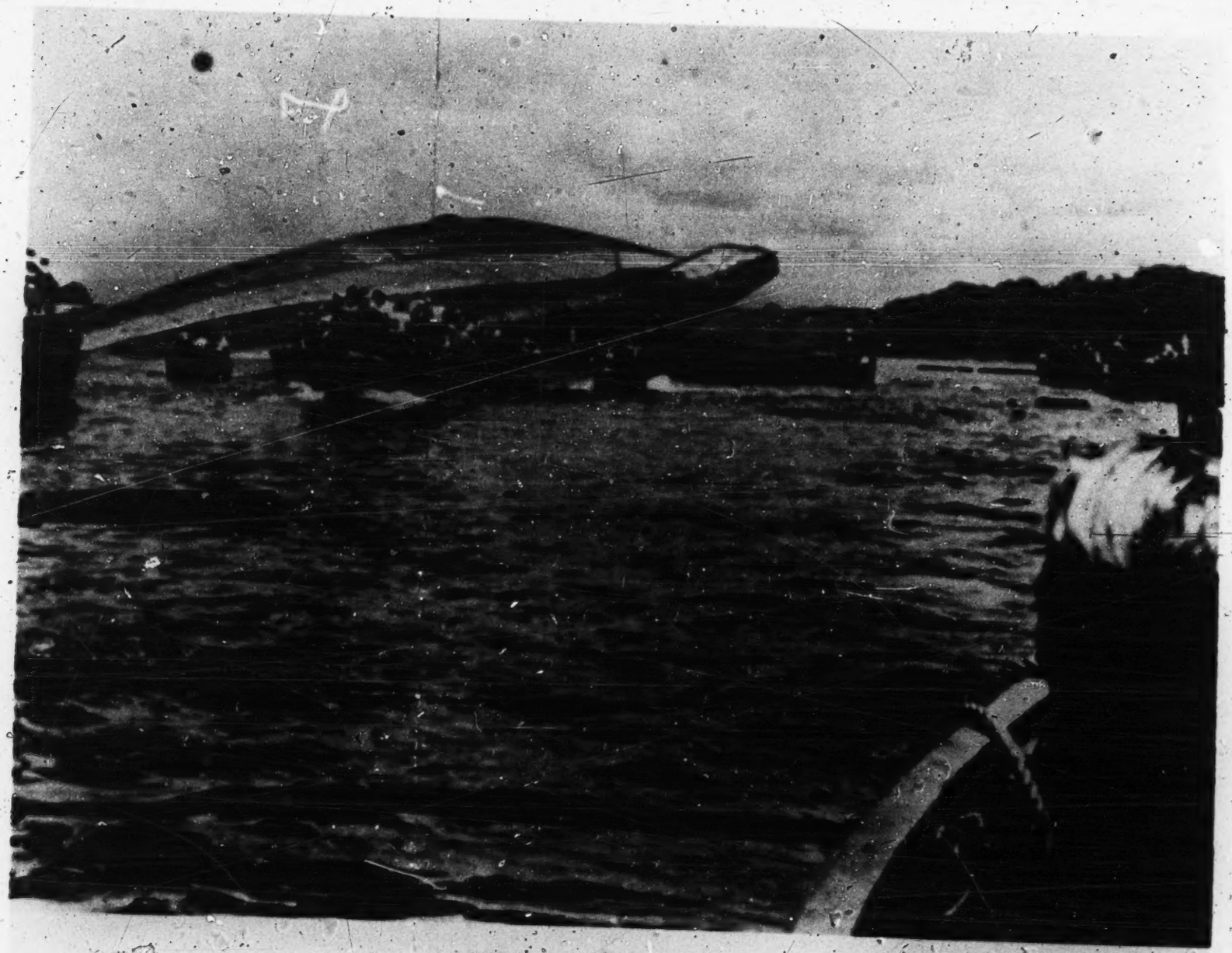
[fol. 1947] EXHIBIT 5

Acme Telephoto

[fols. 1948-1949] EXHIBIT 5-A

AP Wirephoto

[fols. 1950-1951] EXHIBIT 5



[fols. 1952-1953] EXHIBIT 5-A

AP Wirephoto

[fols.1954-1955] EXHIBIT 5

Acme Telephoto

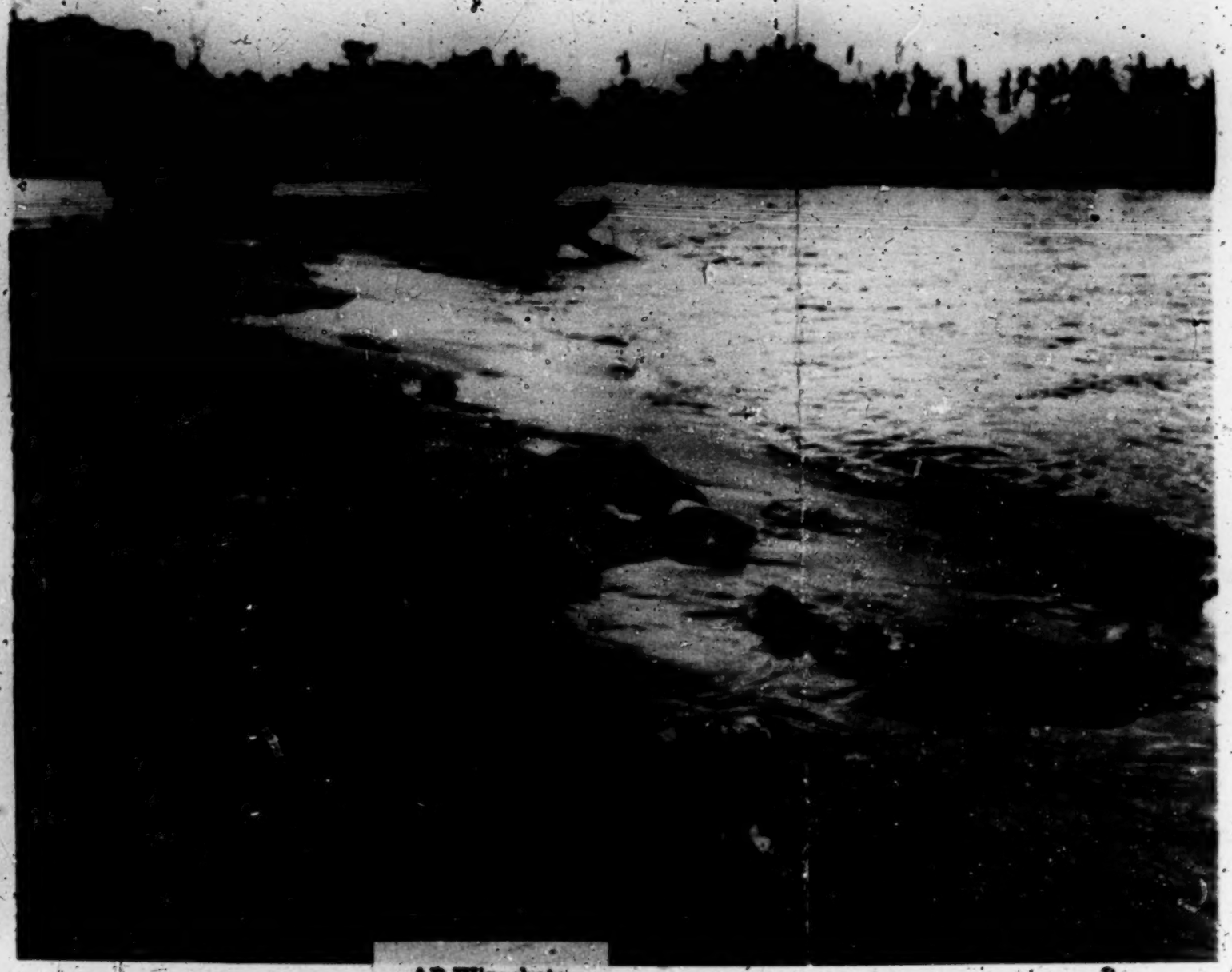
[fols. 1956-1957] EXHIBIT 5-A

AP Wirephoto

[fols. 1958-1959] EXHIBIT 5

Acme Telephoto

[fols. 1960-1961] EXHIBIT 5-A



AP Wirephoto

[fols. 1962-1963] EXHIBIT 5

Acme Telephoto

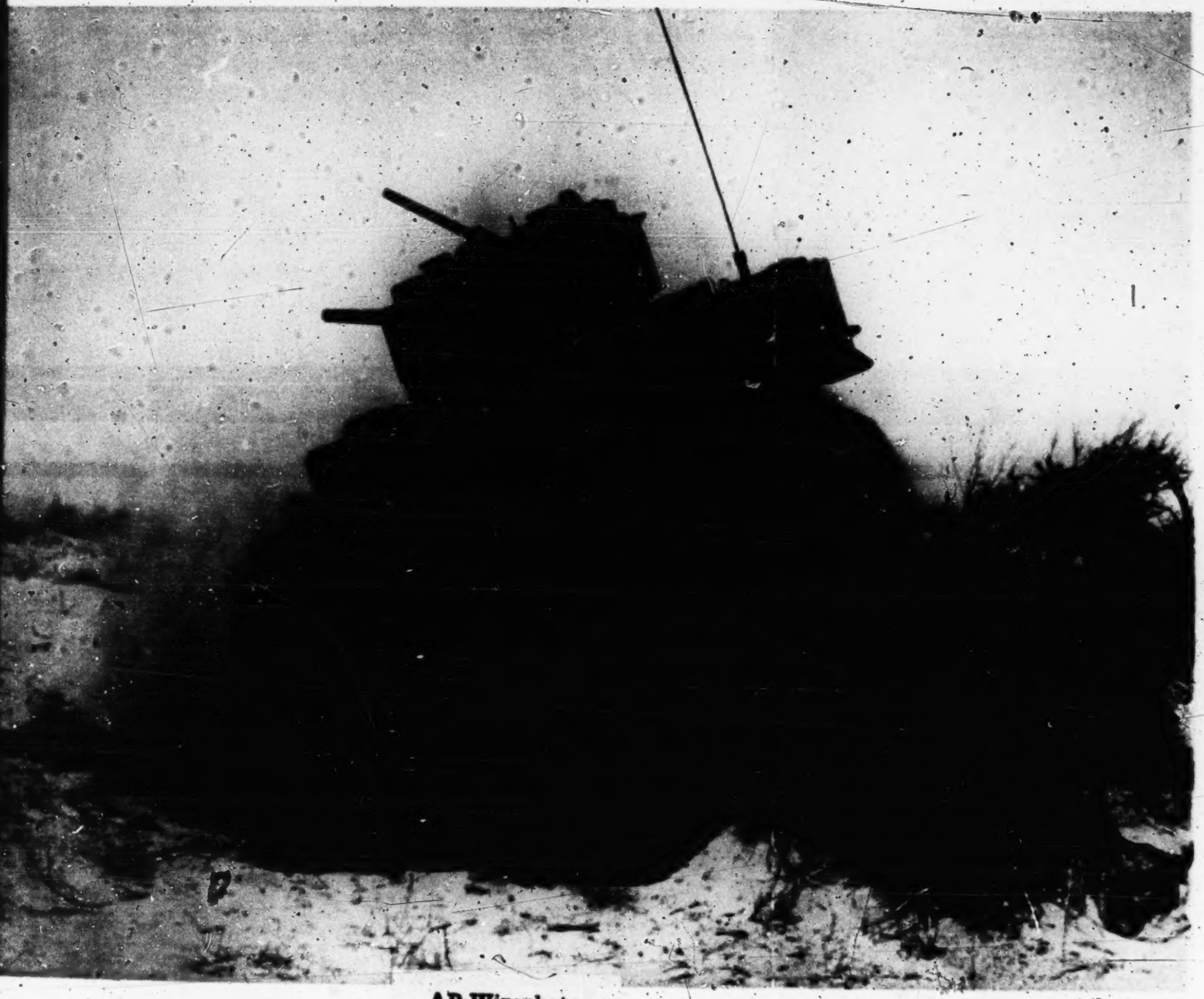
[fols. 1964-1965] EXHIBIT 5-A

AP Wirephoto

[fols. 1966-1967] EXHIBIT 5

Acme Telephoto

[fols. 1968-1969] EXHIBIT 5-A

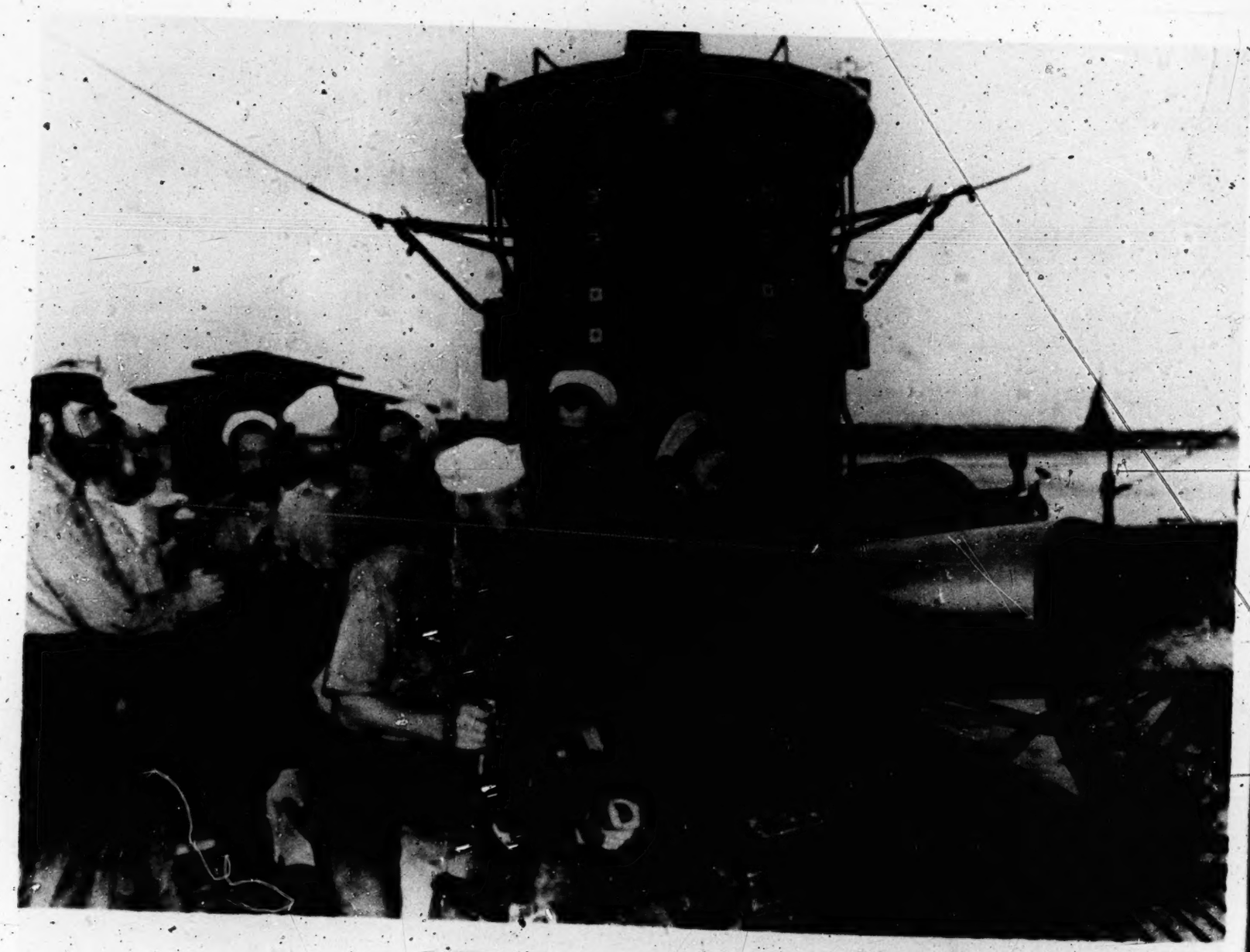


AP Wirephoto

[fols. 1970-1971] EXHIBIT 5

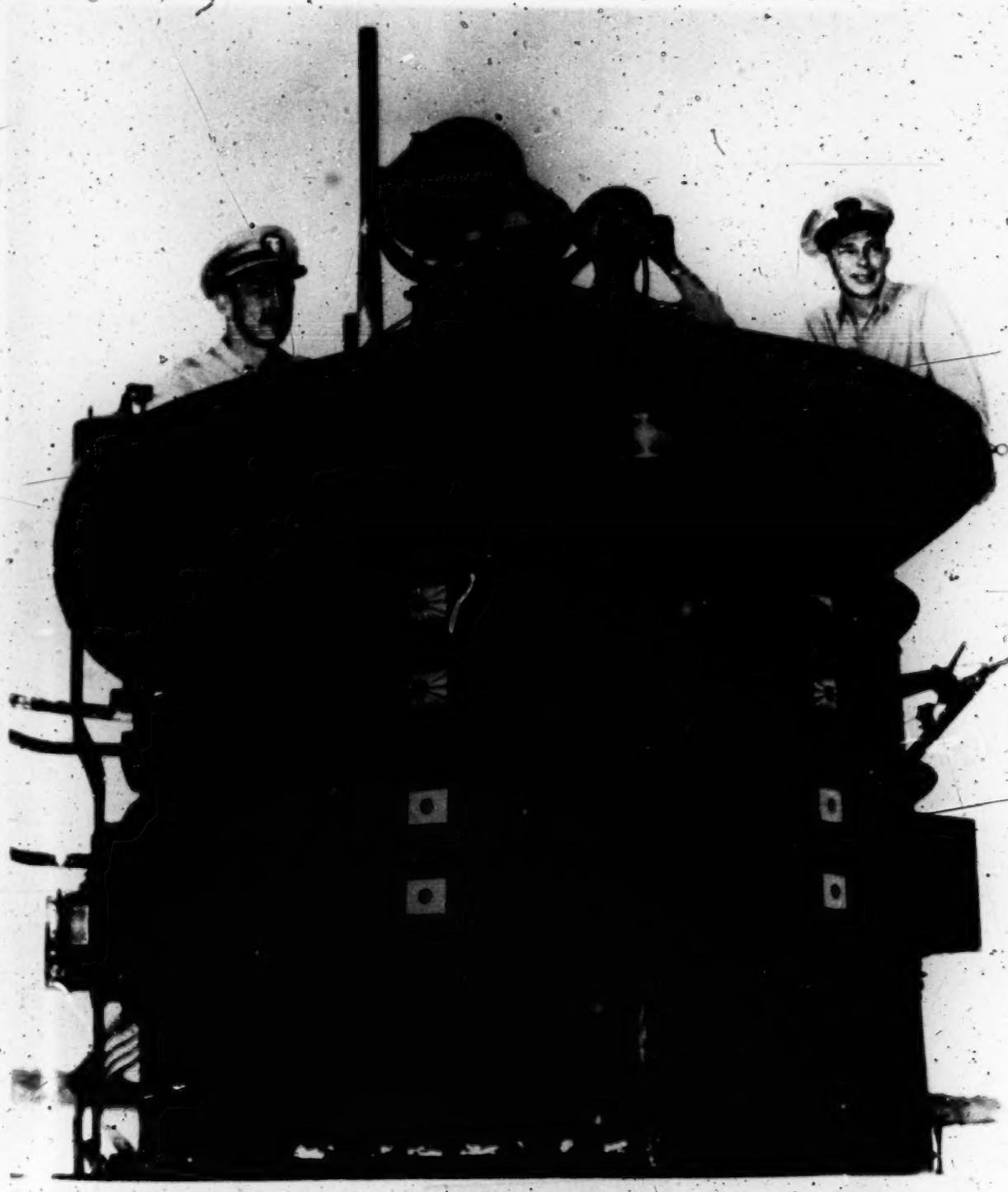
AP Wirephoto

[fols. 1974-1975] EXHIBIT 5



Acme Telephoto

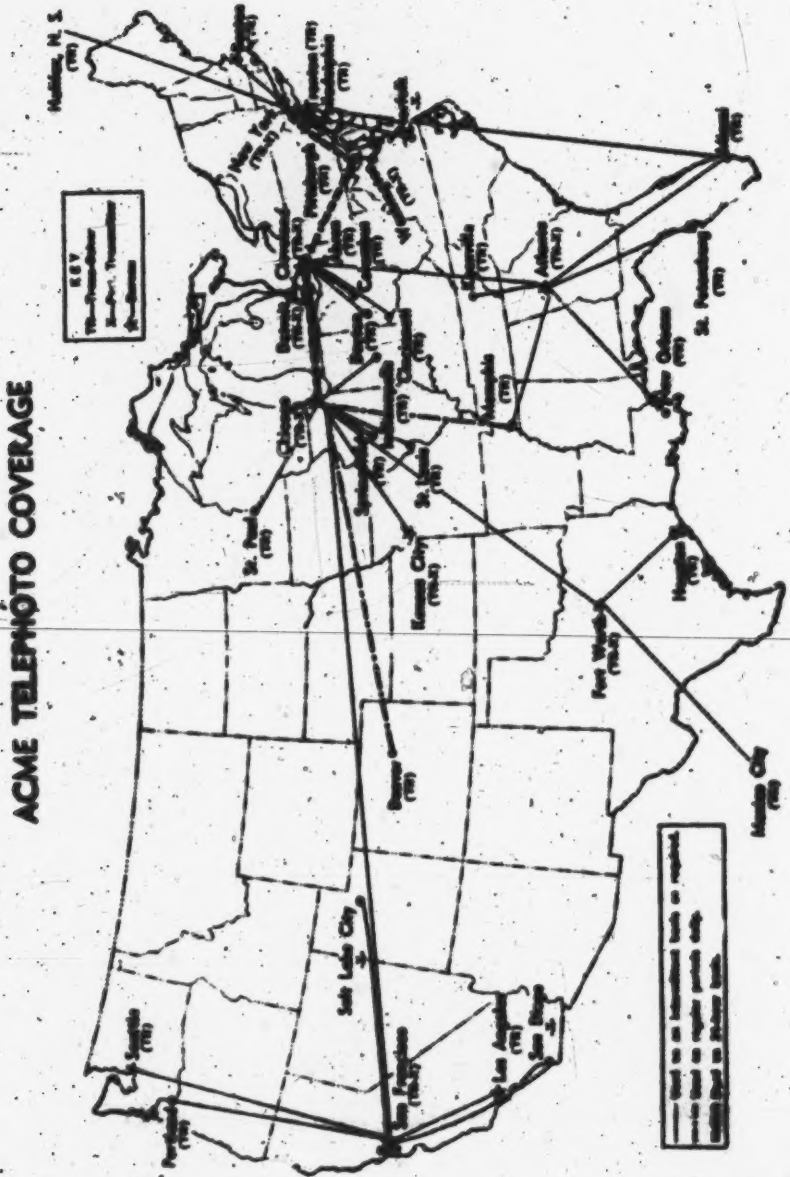
[fols. 1976-1977] EXHIBIT 5-A



AP Wirephoto

(Here follows 1 photo, side folio 1978)

Exhibit 6



1978

[fol. 1978aa] AFFIDAVIT OF FRED E. MEINHOLTZ

STATE OF NEW YORK,
County of New York, ss.:

Fred E. Meinholtz, being duly sworn, deposes and says:

I am Director of Communications of The New York Times, and I am also Manager of The New York Times News Syndicate. I have been a member of the staff of The New York Times since 1920 and have been the Manager of its News Syndicate since 1931. As such, I am familiar with its syndicate operations.

I have read the affidavit of Herbert S. Moore verified May 12, 1943, submitted by the plaintiff in the above entitled action in support of its motion for summary judgment. I note that Mr. Moore states concerning the New York Times Syndicate (at p. 10):

> "At certain hours they may use telegraph or telephone lines to deliver a certain portion of their rush material, but generally they simply market the by-product of that paper among large distant papers and their operations do not constitute a general news service."

That statement is not a correct statement of the functioning of The New York Times News Syndicate. All news received by The New York Times for use by The New York Times (including news of local origin within a fifty-mile radius of The New York Times office) is made available to its subscribers and the subscriber determines which of the news thus made available it desires to have transmitted to the place of publication of the subscribing newspaper. The news so selected is then transmitted over the wires. In the case of the overwhelming majority of subscribers, the method whereby such subscribers obtain The New York Times Syndicate News is as follows:

Each subscribing paper has one or more correspondents who make their headquarters in the office of The New York [fol. 1979] Times. All of the news copy is available to their examination. They indicate which items of news they desire to have transmitted to their respective subscribing papers and when in doubt they send to their subscribing paper a short summary of the particular story. If the

subscribing paper desires that story it wires in and the story is then put on the wire. Everything which is sent to the subscribing paper, whether originally selected by the subscribing paper's correspondent or ordered by the subscribing paper through its correspondent, is sent over the wires.

There are a few instances where subscribers do not maintain a correspondent at The New York Times. Each such newspaper subscribes to an abbreviated war news service. The New York Times has an employee who is charged with the responsibility of selecting the news pertaining directly or indirectly to the war (whether originating from abroad, Washington or locally) and who causes the news items so selected to be transmitted on the wire to each such subscriber. In instances where the Times correspondent believes that a news item is only remotely connected with the war, but nevertheless might be of interest to the subscribers, he indicates the subject matter of the news item over the wire and if any subscriber desires to have the story transmitted, it is then put on the wire.

Many of the papers subscribing to The New York Times News Syndicate pay to The New York Times $10,000 or more a year for the service and, in addition, they must defray the cost of their correspondents at The Times and the cost of maintaining their wires from The New York Times. It should be clear that no such amount of expense could be justified if the service were limited to the character suggested by Mr. Moore.

It is a fact that for a large Metropolitan newspaper such as The New York Times, the amount of money which it costs such paper for the Associated Press service or for the United Press service or for other wire services represents [fol. 1980] an exceedingly small percentage of the total expended for news coverage. While I do not have access to or knowledge of the precise amount expended by The New York Times for the collection of domestic and foreign news, I can state that, exclusive of executive salaries, overhead and special features not strictly news, The New York Times expends for the collection of domestic and foreign news in excess of $2,000,000 a year. This figure is exclusive of the amount expended for the Associated Press and other wire services. I am informed and believe that the payments to the Associated Press for its news service con-

stitute approximately 4% of the amount expended for the collection of domestic and foreign news by The New York Times.

In his affidavit, Mr. Moore indicates that he does not believe that The New York Times is equipped to furnish world wide news coverage to other newspapers. Mr. Moore is mistaken. The New York Times has correspondents in every sizeable community throughout the United States and in a number of smaller communities; some full time and many part time, but available to cover any news which The Times requests them to cover. The Times also has working arrangements with a number of local News Bureaus throughout the country. While the war has seriously affected The Times world wide coverage, before the war and before the Fascist Governments took over the complete control of European countries under their domination, The Times maintained in excess of sixty foreign correspondents. It has maintained relations for many years with many important foreign newspapers and news agencies through which The Times can cover news at points where it does not have a correspondent of its own.

Mr. Moore suggests that only four organizations are able "to furnish general news of both domestic and foreign origin, with sufficient speed, in sufficient volume and variety and of reliable character" (Moore affidavit, p. 4). The four organizations which he includes are the Associated [fol. 1981] Press, United Press Association, International News Service and his own Trans-Radio Press Service, Inc., the last named concededly only to a limited extent. I venture to suggest that the service rendered by The New York Times News Syndicate more adequately meets the test laid down by Mr. Moore than does his own Trans-Radio Press Service, Inc. I can state categorically that if all four of the agencies mentioned by Mr. Moore should go out of existence overnight simultaneously and without warning, The New York Times could continue to publish its newspaper without interruption and with effective world wide news coverage. Furthermore, the quantity of news collected by The New York Times and made available to The New York Times News Syndicate subscribers would be sufficient for those subscribers to meet their emergency needs under the extraordinary circumstances above mentioned. The New York Times is in a position to supply these subscrib-

ing papers with fully adequate foreign news, with fully adequate news of New York City, with fully adequate news originating from the nation's capital and with fully adequate news originating in all of the important communities throughout the United States and in many of the less important communities. The only news features furnished by the Associated Press which The New York Times is not now in a position to furnish to other newspapers in the United States are the stock market tables and news of local interest originating in different states of the United States which the Associated Press now furnishes to newspapers within the particular state in which the news originates. It should be noted that the present subscribers to The New York Times News Syndicate each would have available to it the news of the latter nature within the state in which it is published so that with the news service which The Times is in a position to furnish to such subscribers they are in a position to publish complete papers with world wide coverage lacking only the stock market tables. The New York Times for many years compiled its own market tables, and [fol. 1982] could reestablish this feature in a reasonably brief period.

In order for The New York Times to be in a position to furnish papers in every state of the Union with this intrastate news coverage, The New York Times would require some time in order to build up an organization adequately to supply this particular service. Except as indicated, however, I repeat, that The New York Times is now in a position to furnish to its subscribers and to additional newspapers desiring to subscribe to its Syndicate News "general news of both domestic and foreign origin with sufficient speed, in sufficient volume and variety, and of reliable character".

Fred E. Meinholtz

Sworn to before me this 21st day of June, 1943.
Samuel Black, Notary Public. (Seal.)

[fol. 1983] AFFIDAVIT OF EARL J. JOHNSON

STATE OF NEW YORK
County of New York, ss:

EARL J. JOHNSON, being duly sworn, deposes and says:

I am Vice President and General News Manager of United Press Associations, in which capacity I am in charge of the news staff of the UP. I have held this position since 1935.

I have read the affidavit of Ernest von Hartz filed in this matter. I have examined the AP dispatches which von Hartz describes as "outstanding exclusives" of the AP which appeared in The Chicago Tribune and not in The Chicago Sun. I have re-examined the record of outstanding exclusives by the UP since December, 1941. Reporters for various news services do not travel in pairs, but roam their respective news fronts individually looking for information to lend distinction to the service for which they report. UP has had similar noted exclusives, among which are the following:

In December of 1941 the UP delivered the first eyewitness story of the attack on Pearl Harbor as telephoned to the mainland.

Through the early stages of the attack on the Philippines Frank Hewlett's dispatches from Manila describing the bombing after that capital had been declared an open city.

During January and February, 1942, Harold Guard's continuing account of the Japanese thrusts from Singapore through the Dutch East Indies.

On March 28, 1942, Joe James Custer's eyewitness account of the American engagement in the Pacific dispatched from aboard an aircraft carrier.

In March and April, 1942, Frank Hewlett's coverage of the Battle of Bataan and particularly at the end of that time as the last American newspaper man to leave Corregidor.

[fol. 1984] In June, 1942, Frederick Oeschsner, former Berlin Manager for the UP, wrote a series of stores on Adolf Hitler's personalities and methods from information gathered by him prior to his internment in a German concentration camp.

In July, 1942, Robert Bellaire and Richard Wilson wrote a joint story upon their arrival at Lorenco Marques from a Japanese concentration camp describing their personal experiences while interned in Japan.

In August, 1942, Henry Gorrell wrote a story on the British naval expedition to relieve Malta. He was the only correspondent on this expedition.

On September 9, 1942, Walter Cronkite's eyewitness story of the burning at sea of the Stamship Manhattan.

On September 9, 1942, the UP disclosed exclusively that Churchill and Stalin had had a disagreement on war policy after a Moscow conference and carried exclusively Premier Herriot's letter to Marshal Petain warning him against attacking the Allies.

On September 16, 1942, William Tyree's eyewitness story of the sinking of the U. S. Carrier Yorktown in the Battle of Midway.

On September 17, 1942, Joe James Custer's story of the battle in the Southwest Pacific in which he was wounded.

On September 17, 1942, Robert C. Miller's story reporting the massacre of 750 Japanese in Tenaru in the Solomon Islands.

On September 17, 1942, George Palmer's story of the British raid on Tobruk, in which raid he was attached to the British fleet.

On September 27, 1942, UP's story of the Americans in Paris who were rounded up and interned in the zoo.

On December 2, 1942, Charles Arnot's story of the boxer Barney Ross' triumph over the Japs in Guadalcanal.

On December 2, 1942, Henry Gorell's story relating his experiences as the only reporter with the American fliers who bombed Naples.

[fol. 1985] In December, 1942, a series of exclusive stories by Henry Shapiro from the Stalingrad front. He is the only American reporter permitted to have a closeup view of this important front.

Early in 1943, Frank H. Bartholomew, Pacific Division Manager, went to the Southwest Pacific where he witnessed the wiping out of a Japanese garrison in New Guinea and sent detailed stories of American and Australian conduct during the fighting and conditions in New Guinea.

Throughout the campaign in North Africa Virgil Pinkley, Edward Beattie, Chris Cunningham, Ned Russell and

Phil Ault, in addition to their descriptions of battles and interpretive dispatches, wrote many personal experience stories furnishing a plethora of stories available to no one else except UP from the day when Leo Disher, UP reporter, was wounded while crashing the boom at Oran up to and including the series of stories on how the Allies did it written by Edward Beattie upon his return to New York.

On May 9, 1943, Reynolds Packard's story of his experiences while accompanying the British pilots on their first big bombing of Palermo in Sicily and the eyewitness account of the bombing.

This partial list of exclusives indicates that while AP's Yates McDaniels may stay one day longer in besieged Singapore, UP's Harold Guard simultaneously crosses over to Java and begins a series of dispatches disclosing for the first time the inside story of why the British lost Singapore and how the Japanese in sneakers and jungle camouflage crept in through the city's sewers.

The UP has pioneered in special dispatches of that type.

I have read the affidavit submitted by Warren Brown and filed in this matter. The Washington-Philadelphia and Brooklyn, New York professional football games were played on the afternoon of December 7, 1941. The UP carried the results of all three of these games in a 170 word story which was delivered to The Chicago Sun De- [fol. 1986] cember 7, 1941, at 9:10 P. M. Central Standard Time. The final standings of the National Football Western and Eastern Divisions were delivered to The Chicago Sun December 7, 1941, at 8:46 P. M. Central Standard Time.

On January 20, 1943, UP at 5:49 P. M. Central War Time delivered to The Chicago Sun a story giving the time and place of the American and National League all-star game. In addition, an interview with Presidents Frick and Harridge of the two leagues was carried at the same time. These stories were marked "Attention Chicago". Further lengthy stories were carried on January 21 on the day wire to Chicago.

On January 25, 1943, the UP carried a 90 word story from Toronto delivered in Chicago at 8:45 P. M. Central War Time relating occurrences in Toronto at the meeting of the National Hockey League. The story did not report the heart attack of the League President.

On January 26, 1943, at 4:40 P. M. Central War Time, the UP delivered to The Chicago Sun, marked for its attention, a 490 word story relating to the sale of "Lefty" Gomez of the Yankees to Boston and that he had signed a contract with this team. The story delivered by the UP was marked "For morning paper release".

On February 7, 1943, with reference to a New York Baseball Writers' Association dinner held that night in New York the UP delivered 200 words of quotations from Commissioner Landis' speech at the dinner to The Chicago Sun at 12:35 A. M. Central War Time. Earlier that evening at 10:06 P. M. Central War Time the UP delivered quotations from Captain Rickenbacker's speech; then at 10:44 P. M. Central War Time a story of the awarding of a watch to Ted Williams of the Boston Red Sox was carried. At 11:15 P. M. Central War Time a story reporting Mayor LaGuardia's speech at the dinner was carried.

In August, 1942, the UP reported the St. Paul Open Golf Tournament at St. Paul, Minnesota. The first story [fol. 1987] relating to this was delivered to The Chicago Sun on August 1, 1942, at 4:45 P. M. Central War Time. Further stories were delivered to The Chicago Sun at 8 P. M. and 9:47 P. M. with a total of approximately 910 words. Cards of the leaders were delivered at 9 P. M. On August 2, UP carried approximately 400 words and on August 3, approximately 400 words.

In addition, UP covered the Women's State Golf Championship at Peoria, Illinois.

Because of the limited time I have not been able to search the UP news reports for the period from December 4, 1941, to November 21, 1942, with reference to the items mentioned by Mr. Brown in his affidavit, most of which items in my opinion represent unimportant reportings.

The UP did not keep complete reports or records during the years 1938-1942, inclusive, of the beats or instances in which the reports of UP of news events anticipated in time or excelled in accuracy or completeness (or vice versa) the reports of the same events by AP or International News Service.

It has not been the practice of UP to keep such reports or records illustrative of the instances in which the news reports of UP of important events substantially preceded the news reports of the AP of the same events or in which an important event was reported by UP on a given date

and not reported at all on the same day by the AP, but based upon information furnished me with reference to the time on which the AP reported a similar story or the absence of the story from the AP report as a list marked Exhibit 1 annexed hereto, which is a partial review of such instances.

On September 12, the UP carried a report of 400 words between the hours of 3:45 P. M. Central Time and 4:18 P. M. Central Time of the All Army-Giants Football Game.

On December 31, 1941, UP carried 400 words from New Orleans on the Missouri-Fordham Sugar Bowl Game, and [fol. 1988] on January 1, 1942, 500 words and line-ups, summaries and statistics.

On December 31, 1941, UP carried 400 words on the Oregon State-Duke Rose Bowl Game, and on January 1, 1942, 500 words and line-ups, summaries and statistics.

On December 31, 1941, UP carried 350 words on Georgia-Texas Christian Orange Bowl Game, and on January 1, 1942, 350 words and line-ups, summaries and statistics.

On December 31, 1941, UP carried 350 words on the Alabama-Texas Aggies Cotton Bowl Game, and on January 1, 1942, 350 words and line-ups, summaries and statistics.

On December 31, 1941, UP carried 200 words on the Sun Bowl Football Game, and on January 1, 1942, 350 words.

UP furnishes a full and complete election coverage report which has proved satisfactory to The Chicago Sun, as indicated by the copy of a letter received from the Editor of that paper which is as follows:

"November 18, 1942.

"Mr. Gene Gillette,
United Press Association,
News Building,
New York City.

DEAR GENE:

It was nice to have your note of November 7. I saw Lyle when I was in Washington last week and we had quite a talk about you. You will be hearing from us from time to time.

Let me say again that your boys here certainly did a magnificent job for us on the election.

Sincerely yours, (s) Turner Catledge, Editor."

[fol. 1989] UP furnishes a full and complete financial service and has special financial correspondents in Washington reporting news of the Government bureaus, and special financial correspondents in Philadelphia covering the Securities and Exchange Commission.

Earl J. Johnson.

Sworn to before me this 17th day of June, 1943.
Carl B. Molander, Notary Public. (Seal.)

Exhibit 1

UP ahead

1939

3 hours

Warsaw, Sept. 1—German planes bombed Warsaw. Eyewitness account of raid by Edward W. Beattie.

Exclusive

Danzig, Sept. 7—Description of the Siege of Westerplatte Fort by Germans. Fort held by small band of Poles.

Exclusive

From Steam Yacht Southern Cross off the coast of Scotland, Sept. 5—Rescue of survivors from torpedoed British liner *Athenia*.

[fol. 1990] 20 minutes

London, Sept. 18—Ministry of Information announced aircraft carrier *Courageous* had been sunk by enemy submarine.

30 minutes

Berlin, Sept. 27—Official announcement said Warsaw had capitulated unconditionally on 20th day of siege.

15 minutes

Chicago, Oct. 2—George Cardinal Mundelein died at 68.

UP ahead

30 minutes

Berlin Sept. 27 — German planes attacked British battleships in North Sea.

Exclusive

Berlin, Oct. 10—Widespread armistice rumor caused rejoicing. German radio blamed British secret service for spreading rumor.

Exclusive

Buenos Aires, Oct. 12—Ten-year-old girl gave birth to child after which the father petitioned for permission to marry the girl mother.

Oct. 27, Tokyo—Nomura told Japanese cabinet there was little prospect of patching up differences with the U. S.

2 hours

Munich, Nov. 8—Beer cellar bombed ten minutes after Hitler had left.

[fol. 1991] 8 hours

Amsterdam, Nov. 10—U. S. and British consuls advised their nationals to leave Holland.

½ hour

Tokyo, Nov. 13—British withdrew troops from North China.

6 hours

Caracas, Nov. 14—Lagunillas destroyed by fire with loss of more than 500 persons.

2 minutes

Washington, Nov. 16—Supreme Court Justice Pierce Butler died.

36 minutes

London, Nov. 21—Japanese liner Terukuni Maru sunk by mine off British Coast.

UP ahead

½ hour

London, Nov. 22—German planes raided Shetland Islands.

1 hour

Berlin, Nov. 24—German submarine invaded Firth of Forth to torpedo British cruiser Belfast.

Tokyo, Nov. 24—Japanese announced fall of Nanking, China.

½ hour

London, Nov. 27—German pocket battleship Deutschland sank cruiser Rawalpindi.

London, Nov. 27—British invoked blockade of exports from Germany.

[fol. 1992] 22 minutes

Moscow, Nov. 29—Russia broke off relations with Finland.

25 minutes

Detroit, Nov. 29—Chrysler-UAW controversy settled.

47 minutes

Helsinki, Nov. 30—Russian troops invaded Finland; Helsinki bombed from air (Norman Deuel's eye-witness story of bombing).

1 hr. 53 minutes

Terisoki, Finland, Dec. 1—Russian-sponsored government set up.

30 minutes

New York, Dec. 4—Judge Manton conviction upheld.

15 minutes

New York, Dec. 6—German consular secretary Dr. Walter Engelberg murdered in Brooklyn.

UP ahead

1 hour

Geneva, Dec. 13—League of Nations committee decided to propose expulsion of Russia from league.

45 minutes

Montevideo, Dec. 13—German battleship reported damaged in battle with British cruisers.

2 hours

German ship identified correctly as the *Graf Spee.*

[fol. 1993] 1½ hours

Berlin, Dec. 12—German liner *Bremen* ran safely through the British blockade to Bremerhaven.

7 minutes

Geneva, Dec. 14—Russia expelled from League of Nations.

Exclusive

Montevideo, Dec. 15—Uruguay government gave *Graf Spee* 72 hours to leave port or be interned.

26 minutes

Buenos Aires, Dec. 20—Captain Hans Langsdorff of the *Graf Spee* committed suicide.
Tokyo, Dec. 18—Japanese attempted to mollify U. S. by promising to reopen the Yangtze River to foreign commerce.
Washington, Dec. 19—German liner *Columbus* scuttled by her crew.

5-10 minutes

New York, Dec.—Henry L. Doherty died.

1940

28 minutes

Minneapolis, Jan. 3—Apartment hotel fire killed 18.

UP ahead

14 minutes

Chicago, Jan. 9—Circuit Court of Appeals ruled written contract unnecessary between Inland Steel and CIO.

[fol. 1994] Springfield, Ill., Jan. 11—Governor Horner requested extradition of Willie Bioff from West Coast for pandering.

6 minutes

Washington, Feb. 8—Secretary Hull's letter to Senator Pittman revealed that Moscow had violated the agreement by which the U. S. recognized Russia in 1933.

14 minutes

Washington, Feb. 10—President Roosevelt bitterly condemned Soviet Russia for its dictatorship and the invasion of Finland.

½ hour

Berlin, Feb. 14—German government warned that neutral ships, including U. S. ships, would be sunk if enroute to contraband control ports.

Exclusive

London, March 12—Complete agreement reached in Russo-Finnish peace conference.

Exclusive

Moscow, March 12—Peace agreement signed by Russia and Finland.

2 hours

Moscow, March 12—Official terms and details of Russo-Finnish peace agreement.

35 minutes

Helsinki, March 13—Fighting ceased at 11 a. m. in Russo-Finnish war.

UP ahead

[fol. 1995] 1 hour, 7 minutes

Helsinki, March 15—Finnish Diet ratified peace treaty.

2 hours, 10 minutes

Moscow, March 29—Foreign Commissar Molotov spoke in Kremlin attacking neutrals and asserting that Russia would remain independent of alliances. Said Allies tried to spread war to Russia through Finland.

several hours

Stockholm, April 12—Major sea and air battle at mouth of Oslofjord.

6 minutes

London, April 15—British forces landed at several points in Norway.

Exclusive

Stockholm, April 17—Description of battle for Narvik, Norway.
Atlanta, Ga., April 17—Imperial Wizard ordered Ku Klux Klan to unmask and end terrorizing activities.

39 minutes

Stockholm, April 22—U. S. Military Attache Losey killed by German Shrapnel at Dombaas, Norway.

Exclusive

New York, April 24—Sailor Patrick Smith's account of how Germans took Narvik and shot British consul.

[fol. 1996] 7 minutes

Warm Springs, Ga., April 25—President Roosevelt invoked neutrality act; proclaimed war existed between Norway and Germany.

Exclusive

Namsos, May 1—Eye-witness story of German bombing of Namsos, Norway, and Allied departure.

UP ahead

14 minutes

London, May 8—Lloyd George told the House of Commons that Britain was in a tougher spot than in 1914.

New York, May 9—Hopson, former head of Associated Gas and Electric, indicted.

1 hour

Amsterdam, May 10—Nazis invaded Holland.

9 minutes

London, May 14—Dutch radio reported that forces in the "Fortress of Holland" area had been ordered to cease fighting.

10 minutes

Washington, May 16—Leads and text of President Roosevelt's defense message featuring goal of 50,000 planes per year.

10 minutes

Berlin, May 17—German troops entered Brussels.

2 hours

Paris, May 22—U. S. consular attaches left Paris.

[fol. 1997] 1 hour

Mexico City, May 24—Attempted assassination of Leon Trotsky.

48 minutes

Paris, May 28—Premier Pierlot announced that Leopold had been deprived of Belgian throne.

5 minutes

London, May 30—Ministry of Information announced that the British evacuated Flanders.

½ hour

New York, June 3—Joseph Schenck, movie executive, indicted.

UP ahead

15 minutes

London, June 4—Dunkirk fell to Germans.

14 minutes

Bordeau, June 17—France asked Germany for armistice.

1 hour

Berlin, June 18—Hitler and Mussolini will meet at Munich to discuss terms of armistice with France.

20 minutes

Berlin, June 22—Officially, armistice signed between Germany and France.

7 minutes

Berlin, July 1—Germans occupied English Channel islands.

[fol. 1998] Exclusive

Vichy, July 5—French government severed diplomatic relations with Britain.

15 minutes-½ hour

Washington, July 5—Secretary of State Hull disclosed that Germany had rejected the U. S. Monroe Doctrine note.

20 minutes

London, July 8—Norway's King Haakon refused to abdicate.

10 minutes

London, July 9—Duke of Windsor named governor-general of the Bahamas.

15 minutes

Chicago, July 17—Democratic convention platform presentation delayed because of Senator Pepper's aid-to-Britain fight.

UP ahead

6 minutes

Tokyo, July 17—Prince Konoye charged with task of forming a new cabinet.

15 minutes

Washington, July 17—General George Marshall, chief of staff, predicted that the army's 16 divisions would be fully and completely equipped by the first of the year.

7 minutes

Washington, July 18—Senator Pepper revealed that Secretary of Agriculture Henry Wallace was President Roosevelt's candidate for vice-president.

[fol. 1999] 5 hours

Tokyo, July 19—Japan protested over alleged attack on two Jap Civilians by U. S. Marines in China.

1 hour

Vichy, July 23—Government ordered investigation of responsibility of former officials in collapse of France.

7 minutes

Washington, July 25—President Roosevelt extending licensing list to include oil and scrap iron, thus making embargo on export of these items possible.

½ hour

Washington, July 26—U. S. approved oil tanker charter for Siberia, although similar applications by Japanese and Spanish companies had been denied.

½ hour

Moscow, Aug. 6—Estonia incorporated into Soviet Union.

More than one hour

Mexico City, Aug. 8—Plot to assassinate president and president-elect revealed

UP ahead.

10 minutes

Hyde Park, Aug. 8—Postmaster-General James A. Farley resigned.

5 minutes

Mexico City, Aug. 20—Leon Trotsky died of wounds inflicted by assassin.

[fol. 2000] 10 minutes

London, Aug. 22—Germans shelled British across English Channel.

1 hour

Madrid, Aug. 26—Duke of Guise, pretender to the French throne, died.

12 minutes

Washington, Aug. 26—Senator Wheeler charged that Sir George Paish, British economist, was trying to get the United States into war.

5 minutes

London, Sept. 12—Time bomb found near St. Paul Cathedral.

1 hour

Chicago, Sept. 22—Daughter born to Mr. and Mrs. Fred Snite, Jr. (Fred Snite confined for years to iron lung).

14 minutes

Washington, Sept. 23—Secretary of State Hull condemned Japanese invasion of Indo-China.

10 minutes

Los Angeles, Sept. 23—John Barrymore suing for divorce.

UP ahead

48 hours

Tokyo, Sept. 25—Japanese-German agreement reported to combat any U. S.-British combination in the Far East.

[fol. 2001] 24 hours

Rome, Oct. 2—Hitler and Mussolini to meet at Brenner Pass.

Exclusive

Bucharest, Oct. 5—German troops moved into Rumania.

8 hours

Rome, Oct. 7—Herbert Matthews, N. Y. Times correspondent, expelled from Italy.

3 hours

Shanghai, Oct. 8—American consular officials ordered to advise all Americans to leave Japan and other danger spots.

6 minutes

Washington, Oct. 9—Top selective service post offered to President Dykstra of University of Wisconsin.

5 minutes

London, Oct. 10—St. Paul's Cathedral bombed.

8 minutes

Columbus, O., Oct. 14—Elliott Roosevelt offered his resignation from the army.

1 hour

With Willkie train, Oct. 17—Wendell L. Willkie demanded immediate aid for Britain.

10-30 minutes

Athens, Oct. 27—Italy sent an ultimatum to Greece.

[fol. 2002] 10-30 minutes

London, Nov. 8—Tower of London and St. Clement Danes Church bombed. Krupp works at Essen bombed by British.

Pittsburgh, Nov. 11—Poisoned pancakes kill 11 men at Salvation Army refuge.

15 minutes

New York, Nov. 12—Signal torpedo plant destroyed by blast in Woodbridge, N. J.

London, Nov. 13—Admiralty announced successful air attack on the Italian fleet at Taranto and Prime Minister Churchill described the victory in Commons.

(hours)

London, Nov. 15—Coventry badly damaged by German air attack. Hours ahead with story direct from Coventry.

10 minutes

Los Angeles, Nov. 26—John Barrymore divorced by Elaine Barrie.

41 minutes

Athens, Dec. 6—Greeks officially announced capture of Porto Edda.

½ hour

Cairo, Dec. 11—Sidi Barrani in Egypt recaptured by the British from the Italians.

Cairo, Dec. 16—British bombed Naples.

Helsinki, Dec. 19—President Kallio died.

[fol. 2003] 10 minutes

Philadelphia, Dec. 20—Playboy Buckner released from Lewisburg federal prison.

London, Dec. 23—Parliament building hit by bomb.

UP ahead

28 minutes

London, Dec. 23—Prime Minister Churchill appealed to the Italians to get rid of Mussolini.

New York, Dec. 26—Daniel Frohman died.

1941

London, Jan. 6—Amy Mollison apparently killed at sea.

15 minutes

Jan. 11—Liner Manhattan grounded off Palm Beach.

Exclusive

On British destroyer in Mediterranean, Jan. 13—Battle between British fleet and German dive bombers. Jan. 21—Eye-witness account of siege of Tobruk.

Exclusive

Bucharest, Jan. 24—Rumanian Iron Guard rebellion; Jewish pogrom.

5 minutes

Cairo, Jan. 30—British announced capture of Derna in Libya.

Several minutes

Berlin, Jan. 30—Hitler threatened to torpedo U. S. aid to Britain, in speech at Sports Palace.

[fol. 2004] 30 minutes

London, Jan. 31—German long-range guns dropped shells 10-12 miles inland in England.

Havana, Feb. 4—President Batista of Cuba frustrated a rebellion and plot to assassinate him.

Vichy, Feb. 10—Marshal Petain named Admiral Darlan as his successor.

New York, Feb. 13—Betty Compton filed divorce action against Jimmy Walker.

Washington, Feb. 14—Senate passed bill to raise the national debt limit.

UP ahead

Exclusive

Tokyo, Feb. 17—Jap government asked people to support importation of German technicians and inventions.

1 hour

Moscow, Feb. 21—Maxim Litvinov dropped from the central committee of the Soviet government.

1 hour

Tokyo, Feb. 24—Foreign Minister Matsuoka demanded that the white race cede Oceania to the Asiatics.

Montreal, Feb. 24—Sir Frederick Banting, co-discoverer of insulin, killed in Newfoundland air crash.

London, Feb. 25—Prime Minister Churchill told Foreign Minister Matsuoka of Japan that there could be no compromise in the war.

Nairobi, Feb. 26—British captured Mogadiscio, capital of Italian Somaliland.

9-20 minutes

Rome, Feb. 28—Former King Alfonso of Spain died.

[fol. 2005] 5 minutes.

Washington, Mar. 8—Senate passed Lend-Lease Bill.

3 days

Belgrade, Mar. 11—British forces prepared to land at Salonika.

2 hours

Tokyo, Mar. 12—French Indo-China and Thailand agreed to enter no agreement disadvantageous to Japan.

3 hours

Alexandria, Mar. 31—British fleet defeated Italian fleet in the Ionian Sea.

1634

UP ahead

3 hours

Caracas, Apr. 1—Three Italian and one German ship set afire by their crews in South American ports.

Exclusive

Alexandria, Apr. 2—Log of British aircraft carrier *Formidable,* giving details of Ionian sea battle with Italians.

7 minutes

Cairo, Apr. 3—British evacuated Benghazi, Libya.

Washington, Apr. 3—Italian naval attache's recall asked by Washington, because of his connection with ship sabotage.

London, Apr. 9—Salonika taken by Nazis.

[fol. 2006] 7 minutes

London, Apr. 9—British capture Massawa, Eritrea, from Italians.

Exclusive

Tobruk, Apr. 16—First dispatch from besieged British forces.

8 minutes

London, Apr. 17—Lord and Lady Stamp killed in German raid on London.

Exclusive

Apr. 22—First description of front-line fighting in Greece.

19 minutes

New York, Apr. 28—Charles A. Lindbergh resigned as air corps reserve colonel.

14 minutes

Nairobi, Africa, Apr. 28—Dessie, Ethiopia, taken from Italians by the British.

UP ahead

Exclusive

Tobruk, Apr. 28—Eye-witnesser from besieged Tobruk British garrison.

Exclusive

Henry T. Gorrell and Richard McMillan's joint story of the evacuation of British from Greece (about May 1).

40 minutes

Ottawa, May 6—Eleven American ferry pilots among 122 lost on a Britain-bound ship.

[fol. 2007] 24 minutes

London, May 6—Stalin replaced Molotov as premier.

18-20 minutes

Berlin, May 12—Disappearance of Rudolf Hess by plane.

several minutes

London, May 20—German parachute troops landed in Crete.

Vichy, May 21—Germany asked U. S. to remove diplomatic representatives from Paris by June 10.

10 minutes

London, May 24—H. M. S. *Hood* sunk by the *Bismarck*.

London, May 26—German air-borne tanks landed in Crete.

Exclusive (Lyle C. Wilson)

Washington, May 29—Indications point to gentle U. S. policy toward Japan.

7 minutes

Berlin, June 4—Former kaiser died at Doorn.

UP ahead

15 minutes

Washington, June 6—President Roosevelt ordered Maritime Commission to take over foreign ships in U. S. ports.

Washington, June 9—President Roosevelt ordered Army to take over North American Aviation plant at Inglewood, Calif.

[fol. 2008] several hours

Berlin, June 13—Nazis asserted Germany will continue to sink every ship carrying contraband to Britain.

18 minutes

Berlin, June 19—German government ordered U. S. consulates closed.

39 minutes

Rome, June 19—Italian government ordered U. S. consulates closed.

Exclusive

Stockholm, June 19—Russia reported calling up reserves.

1½ hours

New York, July 15—33 persons alleged to be spies for Germany indicted in Brooklyn.

1½ hours

Washington, July 17—War Department backed Gen. Ben Lear in penalizing soldiers who yoo-hooed at girls on golf course.

July 26—UP outstanding from Tokyo, Hyde Park and Washington on Japanese finance freezing story and follows. Opposition had phony to effect Japan imposed freezing also on Britain assets.

UP ahead

20 minutes

Washington, July 28—Senator Burton Wheeler charged that the administration's criticism of his post card campaign was directed at terrifying American people into a foreign war.

[fol. 2009] 43 minutes

Shanghai, July 30—Japanese bombed U. S. gunboat *Tutuila* during air raid on Chungking.

11 minutes

Moscow, July 30—Harry Hopkins arrived in Moscow to confer on U. S. help to Russia.

Tokyo, Aug. 4—Japan cancelled steamship sailings, leaving many Americans stranded.

London and New York desks broke Roosevelt-Churchill meeting at sea far ahead of all competitors.

Exclusive

Washington, Aug. 6—First American war supplies on way to Russia.

20 minutes

Rome, Aug. 7—Bruno Mussolini killed in airplane crash.

28 minutes

Vichy, Aug. 27—Pierre Laval shot by an anti-Nazi at Versailles.

15 minutes

Moscow, Aug. 27—Japan protested U. S. shipments to Russia via Vladivostok.

5 minutes

Tokyo, Aug. 27—Japan protested to United States on shipments to Russia.

UP ahead

32 minutes

Berlin, Aug. 29—Five-day meeting at Russian front between Hitler and Mussolini revealed.

[fol. 2010] several hours

Los Angeles and Washington, Sept. 4—First American oil tanker arrived at Vladivostok.

½ hour

Berlin, Sept. 8—High Command claimed encirclement of Leningrad.

1 hour, 25 minutes

Rio de Janeiro, Oct. 7—First story of survivors of the torpedoed Panamanian ship *I. C. White*.

1 hour, 35 minutes

Panama City, Oct. 9—Panamanian coupe d'etat.

12 minutes

Moscow, Oct. 9—Red Army halted German drives on Moscow.

several hours

Kuibyshev, Russia, Oct. 20—Ambassador Steinhardt, diplomatic corps and divisions of Soviet government arrived here from Moscow.

Exclusive

Honolulu, December—Detailed account of Japanese espionage in Hawaii.

30 minutes

Pearl Harbor, Dec. 7—Eye-witness reports of Jap attack.

10 minutes

Manila, Dec. 27—Manila bombed by Japs although declared open city.

UP ahead

[fol. 2011] 1942

1 hour, 15 minutes

Singapore, Feb. 9—Jap forces crossed Straits of Johore and established beachhead on Singapore.

Exclusive (Frank Hewlett, last newspaperman to leave Corregidor)

March and April—Battle of Bataan Peninsula.

20 minutes

April 18—American bombers attacked Tokyo, Yokohama, Kobe, and Nagoya.

20 minutes to an hour

Santa Barbara, Feb. 23—First shelling of American mainland by Jap submarine while President Roosevelt spoke on radio.

June—First-hand account of loss of aircraft carrier *Lexington.*

Ankara, August—American bombers landed in Turkey after raiding Reich.

Exclusive

(Henry Gorrell) Cairo—

August—Account of British naval expedition to relieve Malta.

24 hours

Laurenco Marques, Portuguese East Africa, July—Stories from Robert T. Bellaire and Richard C. Wilson on internment by Japanese.

[fol. 2012] 59 minutes

Montevideo, Aug. 22—Brazil declared war on Germany and Italy.

London, Aug. 25—Duke of Kent killed in plane crash.

23 minutes

Honolulu, Aug. 26—Admiral Nimitz's first communique on Gilbert Islands raid.

UP ahead

50 minutes

Honolulu,. Aug. 26—Admiral Nimitz's second communique on Solomon Islands raid.

25 minutes

General McArthur's communique on bombing of Jap ships in Solomons and announcement that Australian cruiser *Canberra* had been sunk.

Exclusive

New York, Sept. 9—Eye-witnesser on burning of the *Wakefield*, formerly the *Manhattan*, at sea.

Exclusive

Moscow, Sept. 9—Russian newspapers revealed that Churchill and Stalin had disagreement on war policy at Moscow conference.

Exclusive

Sept. 16—Eye-witness story of sinking of U. S. aircraft carrier *Yorktown* on June 7, in battle of Midway.

[fol. 2013] 17 minutes

Honolulu, Sept. 17—Communique on Americans raiding Japs at Kiska.

Exclusive

Sept. 17—Account of Aug. 9 naval battle in southwest Pacific in which Joe James Custer was wounded.

Exclusive

Sept. 17—British raid on Tobruk from the sea.

15 minutes

Nov. 8—Eye-witnesser on American invasion of North Africa.

22 minutes

Nov. 22—Communique announcing start of Russian offensive at Stalingrad.

UP ahead

52 minutes

Nov. 22—Gen. McArthur's communique announcing American advance into Gona.

20 minutes

London, Nov. 27—French fleet scuttled at Toulon.

12 minutes

Boston, Nov. 30—Buck Jones died from Boston fire injuries.

Exclusive

Guadalcanal, Dec. 2—Barney Ross' single-handed fight against Japs.

[fol. 2014] Exclusive

Dec. 6—Bombing of Naples as told by Henry Gorrell, who was there.

Exclusive

Dec. 21 et seq.—Henry Shapiro's series of dispatches from Stalingrad front.

1943

10 minutes

London, Feb. 4—Lieut. Gen. Frank M. Andrews appointed U. S. chief in Europe.

14 minutes

Los Angeles, Feb. 6—Errol Flynn acquitted of rape charges.

7 minutes

New York, Feb. 15—French battleship *Richelieu* arrived in New York to join the Allied fleet.

Exclusive

New York, Feb. 12—Mme. Chiang Kai-shek's plans for a nationwide tour.

UP ahead

½ hour

March 13—J. P. Morgan died in Florida.

13 minutes

March 11—Germans announced evacuation of Vyazma, Russia.

[fol. 2015] 75 minutes

April 6—British 8th Army opened drive on Rommel in Tunisia.

10 minutes

April 7—Juncture of Americans and British 8th Army in Tunisia.

1 hour, 25 minutes

April 17—San Juan, P. R.—Lt. Tommy Harmon, former Michigan football star, reported safe at a South American base after plane crashed in jungle.

3 days

With Northwest African Strategic Air Force, Apr. 17—Revealed that U. S. raid on Tokyo was made by carrier based Mitchell B-25's.

1 hour

With British 8th Army near Enfidaville, Apr. 20—8th Army started attack on Enfidaville, Tunisia.

Washington, Apr. 19—Elmer Davis, OWI director, and William Jeffers, Rubber Director, disagreed over OWI's report on the nation's rubber situation.

April 21—Tokyo radio warned that execution awaits fliers who raid Japan in future and are captured.

3 hours

May 1, AFHQ, North Africa—American Troops captured strategic Tahent Hill in Tunisia from the Nazis.

57 minutes

May 12—Algiers communique announces end of Axis resistance in North Africa.

BEATS too

are built from blueprints

Back of today's decisive war triumphs are years of planning and testing. The successes of whole campaigns, of crucial actions by tanks or sea or air fleets, spring from painstaking preparations in the staff room and drafting room, in the laboratory, the wind tunnel and on the proving ground. Victories are built from blueprints.

But not only military victories—

United Press was first by 24 hours with the long-awaited stories of interviews from Japan. These gave America its first detailed account of U. S. bombing raids on Japanese industrial centers, of maltreatment of American and British internees, of how Japan's army keeps the people in the dark about Japanese reverses.

United Press correspondents Robert T. Bellaire and Richard C. Wilson filed their dispatches from Lourenco Marques. They reached New York ahead of all others because, even before the exchange ship had left Yokohama, United Press blueprinted its campaign for a series of beats by establishing an air-tight communications channel from remote Portuguese East Africa and keeping it open for the prompt movement of the big news.

News beats—victories in news coverage—like victories on the fighting fronts, are built from blueprints.

UNITED PRESS

"The World's Best Coverage of the World's Biggest News"

2017

THE MOST COMPLETE COVERAGE ON THE PACIFIC FRONTS

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1644

U.P.

Superior Latin American Coverage

Striking Latin American Beats

Big-headline developments in Latin America find the United Press ready—with stronger coverage facilities than any other service.

Within the past week alone U.P. has scored these noteworthy news beats:

October 3—25 minutes ahead on the torpedo sinking of the Panamanian tanker I. C. White.

October 7—One hour and 25 minutes ahead with eye-witness stories of survivors of the I. C. White at Rio de Janeiro.

October 9—One hour and 35 minutes ahead on Panama's c. ... d'etat and the flight of President Arias.

UNITED PRESS

"ELECTED!"

United Press Flashed It First

Reports from newspapers and radio stations all over the country show that at any given hour during election night and the next day United Press had decisive returns on more election contests than any other news service.

THE WORLD'S BEST COVERAGE OF THE WORLD'S BIGGEST NEWS

MARCO POLO...UNITED PRESS...

First to report, alone to report

...FIRST to travel upward into China, along the route of the Burma Road of today, and to report what he saw for all the world to read was Marco Polo—nearly seven centuries ago. What he wrote was the only news the world had then of that region.

In his footsteps another first-reporter has just followed, George Wang, of the United Press.

Since Britain reopened the Burma Road, Wang has been the only press correspondent to travel over this historic, vital highway. He has since been cabling back dispatches about what he saw on his eight days' journey.

United Press often gives first news. Of the Burma Road it has done more. It has, like Marco Polo, given the only news.

2020

[fol. 2021]

UNITED PRESS ASSOCIATIONS

INCORPORATED IN NEW YORK

GENERAL OFFICES

NEWS BUILDING, NEW YORK CITY

SPECIAL PROSPECT LIST

March 21, 1941.

The United Press scored a beat of more than three days on the important news that Britain had sent troops to Greece. Here is the log:

Tuesday night, March 11, UP quoted Belgrade diplomatic quarters that British forces were preparing to land at Salonika.

Wednesday, March 12, United Press in a copyright dispatch reported landing of British soldiers in Greece.

Thursday, March 12, UB from Athens reported large convoy in Aegean.

Friday, March 14, British sources in Istanbul confirm to United Press the arrival of British troops in Greece.

All these were *exclusive* stories. Not until March 15 did other services carry news of this important development.

The attached display shows how this and other superior coverage enabled United Press to blanket front pages of newspapers having all three major press services.

Cordially, Walt Rundle.

[fol. 2022]

UNITED PRESS ASSOCIATIONS

INCORPORATED IN NEW YORK

GENERAL OFFICES

NEWS BUILDING, NEW YORK CITY

April 2, 1941

Division Managers
Business Representatives
Bureau Managers

GENTLEMEN:

The opposition recently has reverted to a 1917 practice of claiming beats on practically everything, apparently hoping that at least some of their claims will stick.

We do not intend to become involved in an advertising debate on this issue. However, for your information, I am giving you a list of the outstanding, proven United Press beats since the first of the year. You will notice that these range from approximately one-half hour to as much as six days. Naturally, there were scores of other stories on which U. P. was fractionally ahead or got the play through better writing.

Highlights of the log are:

Jan. 3—Cairo, Australians break through part of Italian defense lines at Bardia—30 minutes.

Jan. 6—New York, Private advices indicate German troops will move into Bulgaria—Exclusive.

Jan. 9—Armistice day disturbances in Paris—French riots against German troops—Exclusive.

Jan. 13—On board British destroyer in Mediterranean, Eye-witness account of battle between British fleet and German dive bombers—Exclusive.

Jan. 21—Richard McMillan's eye-witness account of siege of Tobruk—Exclusive.

Jan. 24—Bucharest, Rumanian Iron Guard rebellion and Jewish executions—12 hours.

Jan. 26—Budapest, Count Stephen Csaky dies—30 minutes.

Jan. 31—London, German long-range guns drop shells 10 to 12 miles inside England—40 minutes.

Feb. 6—Detroit, Ford's new riveting process for speeding airplane construction disclosed—Exclusive.

[fol. 2023] Feb. 17—London, R-A-F showers pamphlets on Poland in deepest flight into Greater Reich—30 minutes.

Feb. 17—Tokyo, Japanese government asks support for importation of German technicians and inventions—Exclusive.

Feb. 21—Moscow, Maxim Litvinov expelled from Soviet central committee—1 hour.

Feb. 28—Rome, Former King Alfonso of Spain dies—30 minutes.

Feb. 28—Buffalo, CIO official announces settlement of Bethlehem steel strike—50 minutes.

Mar. 7—London—Jane's almanac of fighting ships issued, showing effects of year of war on naval power—24 hours.

Mar. 11—Belgrade, British forces prepare to land in Greece—Three Days Ahead.

Mar. 12—New York, United Press copyright reveals British forces have arrived in Greece—Exclusive.

Mar. 12—French Indo-China and Thailand agree to enter no agreement disadvantageous to Japan.

Mar. 13—Washington, U. S. plans to send 99 warships to Britain this year—Exclusive.

Mar. 19—Six Days Ahead on Yugoslav decision to sign axis pact—including clear definition of reservations.

Mar. 21—Detroit, Ford Motor Co., agrees to re-instate discharged employes, postponing strike threat—30 minutes.

Mar. 27—Yugoslav government of Prince Paul overthrow by army coup—1 hour, 30 minutes.

Mar. 27—First eye-witness account, direct from Belgrade, after overthrow of Prince Paul—1 hour, 40 minutes.

Mar. 29—Washington, U. S. coast guard seizes Italian ships—22 minutes.

Mar. 29—London, ahead and only service identifying Italo-British naval battle in Mediterranean as greatest since Jutland.

Mar. 31—Detailed story of British Mediterranean naval victory—3 hours.

April 1—Caracas, seven axis ships scuttled—2 hours, 39 minutes.

Cordially, Walt Rundle.

WR:PM

[fol. 2024]

UNITED PRESS ASSOCIATIONS

INCORPORATED IN NEW YORK

GENERAL OFFICES

NEWS BUILDING, NEW YORK CITY

April 2, 1941.

DEAR SIR:

News broadcasts must satisfy two vital audience demands in covering World War Two—speedy collection and transmission of the facts and, equally important, accurate evaluation of events.

United Press enabled its clients to score on both points when the British Mediterranean fleet ripped the Italian navy apart last week end.

U.P. was first with the news of the battle; was the only news source to correctly describe the naval engagement as "the biggest since Jutland."

Cordially, Walt Rundle.

[fol. 2025]

UNITED PRESS ASSOCIATIONS

INCORPORATED IN NEW YORK

GENERAL OFFICES

NEWS BUILDING, NEW YORK CITY

May 29, 1941.

Clients of the United Press within the past few days have shared the benefits of an imposing list of beats and exclusives.

United Press was first with the news that all passengers of the sunken liner Zamzam were safe; ahead on their arrival at St. Jean de Luz. Editors across the land logged United Press ahead on the London announcement that the Hood had been sunk; ahead on the disabling of the Bismarck by a British torpedo plane and on the attempted assassination of Italy's king.

In addition Ralph Heinzen, director of United Press coverage in Vichy, turned in a remarkable exclusive describing occupied Paris. And Glenn Stadler of the Paris bureau produced a brilliant, exclusive interview with survivors of the Zamzam, giving the first full account of the sinking. Copies of these stories are attached.

The increasing fury and spread of the war emphasize the need of your paper for the additional coverage the United Press provides. When may our representative call to discuss this matter with you?

Cordially yours, Walt Rundle.

[fol. 2026]

UNITED PRESS ASSOCIATIONS

INCORPORATED IN NEW YORK

GENERAL OFFICES

NEWS BUILDING, NEW YORK CITY

August 25, 1941.

To All United Press Clients and Prospects

DEAR SIR:

When on August 20 American-built Tomahawk pursuit planes drove off a German bomber which appeared over the United States defense outposts in Iceland, United Press clients broke the story 90 minutes ahead of their competitors.

This was possible because United Press Correspondent Axel Thornsteinsson is today, as he has been for the past 12 years, the only representative of an American news agency in that remote but potentially important news center.

United Press coverage regularly looks ahead—traditionally extends beyond the obvious news fronts—to assure U.P. clients of the world's best coverage of the world's biggest news.

Cordially yours, Walter Rundle, Promotion Manager.

WR:MH.

[fol. 2027]

UNITED PRESS ASSOCIATIONS

INCORPORATED IN NEW YORK

GENERAL OFFICES

NEWS BUILDING, NEW YORK CITY

February 11, 1942.

Letter to All Newspaper and Radio Clients and Prospects —including Canadian.

DEAR SIR:

When, on February 9, Japanese forces crossed the Straits of Johore and established a beachhead on Singapore Island, *United Press* was *first* by *one hour and 15 minutes* with the news.

The beat provided on this extremely important war development reflects again the superiority of coverage facilities in the Pacific that enables the United Press to produce "The World's Best Coverage of the World's Biggest News."

Cordially, Walter Rundle, Promotion Manager.

WR:MH.

1656

70 MINUTES AHEAD ON THE INVASION OF IRAN

UNITED PRESS this week was first by 70 minutes with the news of the Russian-British invasion of Iran. Monday morning newspapers in New York and across the country rejoiced for special editions to carry Edward W. Beattie's consistent dispatch from London. Throughout South America, too, this United Press beat won top position in headlines, gave new proof that United Press provides "the world's best coverage of the world's biggest news."

Other big U. P. wire beats of the week: Five hours ahead with the news of the Roosevelt-Churchill Atlantic conference—20 minutes ahead on the sinking of Pearl Harbor!

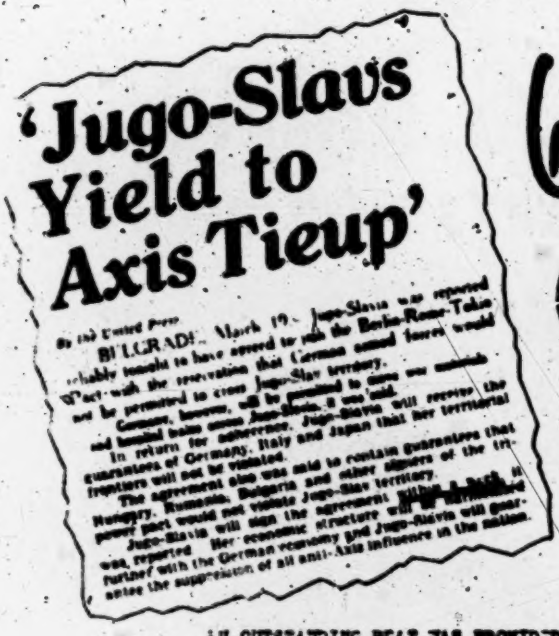
UNITED PRESS

2028

1657

United Press Associations

GENERAL OFFICES



'Jugo-Slavs Yield to Axis Tieup'

By the United Press

BELGRADE, March 19.—Jugo-Slavia was reported reliable tonight to have agreed to join the Berlin-Rome-Tokio Pact with the reservation that German armed forces would not be permitted to cross Jugo-Slav territory.

Germans, however, will be permitted to cross war materials and hospital trains across Jugo-Slavia, it was said.

In return for adherence, Jugo-Slavia will receive the guarantees of Germany, Italy and Japan that her territorial frontiers will not be violated.

The agreement also was said to contain guarantees that Hungary, Rumania, Bulgaria and other signers of the tri-power pact would not violate Jugo-Slav territory.

Jugo-Slavia will sign the agreement within a week, it was reported. Her economic structure will be [illegible] further with the German economy and Jugo-Slavia will guarantee the suppression of all anti-Axis influence in the nation.

6 days ahead!

AN OUTSTANDING BEAT WAS PROVIDED UNITED PRESS CLIENTS ON ADHERENCE OF JUGOSLAVIA TO THE TRI-POWER PACT.

On March 19---SIX FULL DAYS before any other service carried the report---Leon Kay, chief of the United Press Belgrade bureau reported that Jugoslavia had reached an agreement with Germany to join the axis, with reservations.

While other correspondents wavered uncertainly on the Jugoslav position Kay, during the succeeding week, correctly reported the day-to-day developments leading to the signing on Tuesday, March 25 of the pact between the Axis and Belgrade.

United Press was far ahead---amazingly accurate---on all developments on this important story.

2029

FAR AHEAD IN THE FAR EAST

First by 48 hours with news of Japan's decision to join the Rome-Berlin axis.

First by 5 days with news of Britain's decision to re-open Burma Road on October 17.

First by 3 hours with U. S. warning to Americans to leave Far Eastern danger zones.

These are stirring times in the Orient, with perhaps even bigger news ahead.

Wherever big news breaks, United Press gets it first.

UNITED PRESS

1659

Reprinted from EDITOR & PUBLISHER for APRIL 12 1941

They Saw a New Eastern Front

UP

HOURS, DAYS AHEAD

MARCH 11—British troops arrive in Greece—3 days ahead.

MARCH 19—Jugoslav government decides to sign Axis pact—4 days ahead.

MARCH 27—Army coup ousts Premier Tsvetkovitch—1 hour 30 minutes ahead.

MARCH 27—First moment, direct from Belgrade, of celebrations for new government—1 hour 30 minutes ahead.

MARCH 28—First detailed report of Britain's complete victory over Italian navy—3 hours ahead.

APRIL 6—Germans launch through to Aegean and Greek abandonment of Salonika—6 hours ahead.

Alert, Balkan-wise correspondents of the United Press were first to see and first to report that a new and important war front was developing in Eastern Europe.

Because they worked ahead of the news—planned thoroughly in advance—these American-trained reporters scored consistently as this newest and crucial phase of the war unfolded.

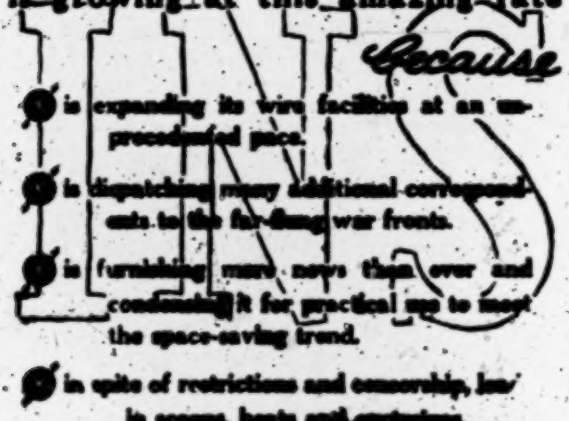
Beginning with a three-day beat on the arrival of British troops in Greece, United Press clients were kept out in front on each key development leading to establishment of a new war front in the Balkans.

2031

UNITED PRESS

33 Contracts in 3 months

INTERNATIONAL NEWS SERVICE
is growing at this amazing rate



Word for [illegible]. Excels in
Compactness, Vividness and Accuracy

INTERNATIONAL NEWS SERVICE

[fol. 2033] AFFIDAVIT OF LEO TURNER

STATE OF ILLINOIS,
County of Cook, ss.:

LEO TURNER, being first duly sworn, deposes and says:

I am an employe of the United Press Associations as Night Manager of its Chicago bureau.

On Sunday, November 30, 1942, I came to work in mid-afternoon. Shortly after my arrival there began the delivery to Chicago of the casualty lists of the fire at the Coconut Grove night club in Boston which had occurred late the night before. These lists ran on the printer machine for a considerable period of time. While this was going on Mr. Lawrence Buttonweiser, Assistant Telegraph Editor of The Chicago Sun, called me on the telephone and asked if they were going to receive the casualty lists. I informed him that the lists were running at that time. Some time later Mr. James Mulroy, Assistant Managing Editor of The Chicago Sun, came to my office and demanded that we produce the casualty lists. I showed him the copy, told him that the lists had been running for some time, and that the Sun office was on the same wire that I was, and that he should have the entire file in his office. At the conclusion of that conversation Mr. Buttonweiser again called me on the telephone and asked if I would send him an extra copy of the casualty lists received by me because they had failed to receive them due to the fact that some employe in the Sun office had failed to turn on their printer machine which would have received them.

Leo F. Turner.

Sworn to before me and subscribed in my presence this 21st day of June, 1943. Gussie Levin, Notary Public. (Seal.)

[fol. 2034] AFFIDAVIT OF BOYD LEWIS

STATE OF ILLINOIS,
County of Cook, ss:

BOYD LEWIS, being first duly sworn, deposes and says:

I am and have been since 1936 the Central Division news editor of the United Press Associations, hereinafter re-

ferred to as U.P.. The Central Division of U.P. embraces the following states: North Dakota, South Dakota, Michigan, Indiana, Wisconsin, Illinois, Iowa, Minnesota, Nebraska, and the city of St. Louis, Missouri. My duties include the supervising, gathering, editing and distribution of news in the Central States of the United States; supervising the relay of news from the East to the West and from the West to the East on the transcontinental trunk news wires of U.P. In addition, I supervise all training of personnel in fifteen bureaus of the U.P. Central Division.

During the years 1933 to 1936 I was night bureau manager of the New York bureau of U.P. and from 1927 to 1933 I was Connecticut manager for U.P.

U.P. has had no serious difficulty in obtaining the services of its string correspondents in its Central Division, nor has it had difficulty in obtaining coverage of local news in this territory. In many cities in the Central Division, U.P. maintains news bureaus. Newspapers and radio stations obligated to furnish news collected by them to U.P. are further sources of news.

The U.P. bureau in Chicago is the main office for the U.P. Central Division and all news of the region comes directly and without interruption to that office, which is located in the Chicago Daily News Building on the 7th floor. Such news is promptly edited and transmitted without interruption or delay to the subscribers to the service.

The U.P. Illinois State wire ceases operation at 3:00 o'clock P. M. CWT. The U.P. Springfield, Illinois bureau remains open until 10:00 o'clock P. M. CWT. From 3:00 o'clock P. M. CWT to 10:00 o'clock P. M. CWT U.P. has [fol. 2035] an arrangement with Postal Telegraph which keeps a wire open constantly with one terminus in the Springfield, Illinois bureau and the other in the Chicago, Illinois bureau. U.P. may on this wire send queries to Springfield from Chicago and receive an immediate reply. The arrangement is equal in speed and efficiency to the operation of an A. T. & T. leased wire.

U. P. maintains in Milwaukee, Wisconsin a bureau which remains open until midnight and which is responsible for the coverage of news of the entire State of Wisconsin with the exception of the City of Madison. U.P. maintains a day leased wire between Chicago and Milwaukee which remains open until 5:00 P. M. CWT. U.P. maintains a leased wire between Chicago and Madison which remains open until

7:00 P. M. CWT. Wisconsin news is transmitted over this wire after the closing of the Milwaukee day wire at 5:00 P. M. CWT. From 7:00 P. M. CWT until midnight U.P. operates a leased wire between Chicago and Milwaukee.

Any subscriber to U.P. service desiring additional news coverage may request U.P. to obtain such news. This has been done repeatedly.

I know of no occasion, nor do the records of the U.P. office in Chicago disclose such, on which Thomas J. Barry complained to me or any other employee of the U.P. Chicago bureau of U. P.'s failure to cover any story from the Wisconsin region which appeared in the Chicago Tribune over an A.P. logline, although I have been asked for stories appearing in The Chicago Tribune as Chicago Tribune "Special" stories.

/s/ Boyd Lewis.

Sworn to before me and subscribed in my presence this 16th day of June, 1943. Harold D. Hill, Notary Public. (Seal.)

[fol. 2036] AFFIDAVIT OF WILLIAM MAPEL

STATE OF NEW YORK,
County of New York, ss:

I, WILLIAM MAPEL, of lawful age, being duly sworn, depose and say:

I have read the affidavit and the exhibits attached thereto submitted by the Government in support of its motion for summary judgment in the case of *United States* v. *The Associated Press*, Civil Action No. 19-163, now pending in the U. S. District Court for the Southern District of New York, which affidavit was made and sworn to by Virginia M. Marino.

I have had made available to me and have examined the documents produced by the defendant, the Associated Press, and referred to in the Marino affidavit as "comparison" or "beat" records, and cited in the Marino affidavit as:

> "relating to the instances in which the Associated Press was ahead of the United Press Associations, or 'beat' said Association, 'scooped' it, anticipated it in time, or excelled it in accuracy or completeness in re-

ports of news events furnished to newspapers. Said documents and said examination of same also covered instances during the period covered by the 'beat' records for the United Press Associations was recorded as having been ahead of, having anticipated in time of release to newspapers, or as sometimes stated, having 'beat' the Associated Press in furnishing reports of news events to newspapers."

Furthermore, I have found it necessary and helpful to discuss this matter with representatives of both the Associated Press and United Press.

Examination of the Government affidavit shows that the deponent thereof submitted one page of text information called a copy of a daily comparison sheet and marked Exhibit A. Also, some 63 pages of tabulated matter summarizing such daily comparison sheets for virtually each day between May 1, 1940 and December 18, 1942. Examination [fol. 2037] of the affidavit discloses that it was submitted in an effort to show the number of "beats" or "scoops" achieved by both the Associated Press and the United Press, day by day, during the aforementioned period; and that it further sought to show the hours or minutes by which one or the other of these press associations "beat" or "scooped" the other.

The affidavit reaches a conclusion that between the aforementioned dates the Associated Press and the United Press recorded a total of 18,747 foreign and domestic "beats" one over the other; and that the Associated Press scored 13,473 or 71.9 per cent of these "beats".

Miss Marino lists herself as a senior stenographer attached to the New York office of the Anti-Trust Division of the U. S. Department of Justice. She says that in the preparation of the affidavif, or in the assembly of material before preparation of the affidavit, she was assisted by another senior stenographer employed in the same office.

This affidavit is offered as a comment on, critique of, and answer to the Government affidavit. I have been a newspaperman and a professor of journalism for more than twenty years, and in support of my qualifications to speak with authority on this subject submit that during this period I held various positions on newspapers which published reports from either one or both of the aforementioned press associations; that for a period of 1934

to 1937 I was Executive Editor of the Wilmington (Delaware) Morning News, and the Wilmington (Delaware) Journal-Every Evening, being in complete charge of all news and editorial matter in both of these papers; and that between 1927 and 1934 I was a journalism professor and particularly between 1930 and 1934 was Director of the Lee School of Journalism of Washington and Lee University in Lexington, Virginia.

Specifically, this affidavit is presented to demonstrate that the Marino document is misleading and of little value because:

[fol. 2038] 1. It is predicated on an Associated Press "log" by no means confined to "beats" or "scoops"; nevertheless, it assumes the "log" in question is so confined.

2. It seeks to apply a mathematical formula to factors not susceptible to such treatment, and, consequently, reaches a meaningless conclusion.

It should be recorded that the subject matter on which the Government affidavit was based was material from the files of the Associated Press. Upon examination of these records, I interrogated officials of the United Press and was informed that the United Press did not furnish this information to the Associated Press, and until publication of the affidavit did not know that the Associated Press was keeping such records. United Press officials further say that they keep no such extended records as those kept by the Associated Press on which the Government affidavit is based. The only records they keep are notations in a "beat" book showing how they fared in comparison with the Associated Press on the few really outstanding stories of each month. And they profess great satisfaction with their competitive record on these stories.

Consequently, without assuming the responsibility for questioning the accuracy of information about the United Press as shown in the records of the Associated Press, I wish to make clear that the figures and facts upon which the affidavit was based were not jointly presented to the Government by the two press associations in question.

Perhaps a few words of explanation from the point of view of a newspaperman will be of service in clarifying the subject at hand.

It is well to understand the meaning of "beat" or "scoop". In the Government affidavit, the terms so used are misnomers. First, because they are loosely applied, and second, because they refer to the subject from the point of view of press association persons rather than from [fol. 2039] the point of view of newspapermen. The distinction is important.

To the news service men, a "beat" is scored if an important story is dispatched from the news service to its member or client newspapers ahead of the dispatch of the same story by another news service to its member or client newspapers. For purposes of morale, *esprit de corps*, and general sustenance of competitive spirit, press association men and women make a great deal out of getting an important story on the wires first, but other than that the matter usually has little significance.

To newspapermen engaged in the editing and publishing of news service stories as part of the daily news content of their papers, a "beat" is nothing more or less than the publication of information which solely through such publication brings about a competitive advantage to the paper achieving such publication in advance of its competitors. By this token, it will be understood that in a one-paper field sufficiently remote from other fields to prevent outside competition coming in speedily, there can be no such thing as a "beat" or "scoop". Many papers using either the Associated Press or the United Press are in non-competitive fields.

As an example of the difference between a "scoop" as a press association man would hail it, and as a newspaperman would recognize it, one of the press associations herein discussed transmitted the news of the surrender of Pantelleria seven minutes ahead of the transmission of this news by the other press association. But newspapers using the service of the other press association were at no competitive disadvantage, because the story broke at a time when papers were not going to press, and therefore the only enthusiasm displayed by anybody was that within the newsroom of the association that delivered the message first.

Also of help in understanding this matter may be an explanation of the mechanics of sending news from a press association to a newspaper.

[fol. 2040] The machines used for sending such news stories are known as teletypes. All press associations use

similar machines. These machines are geared to send 60 words a minute, and except for intermittent pauses, are in operation for about 15 hours beginning at 3 a. m. for afternoon papers, and for about 13 hours beginning at 2 p. m. for morning papers.

Afternoon wires carry an average of roughly 150 separate stories daily. These stories frequently are broken into what are called "takes". For example, the association editor may send the first two or three paragraphs of a story, then send the first two or three paragraphs of another story, and so forth; coming back to the remaining paragraphs of the first story minutes or, in some cases, even hours later. There are usually about 300 "takes" per day, and the afternoon report averages between 50,000 and 54,000 words each day.

On the morning side (the night wire) from 90 to 100 separate stories are carried in from 175 to 200 "takes" for a total of between 40,000 and 44,000 words.

For the sake of illustration, suppose that on each side of a given wall, two teletype machines start filing the day report at 3 a. m. On one side of the wall is the Associated Press and on the other side of the wall is the United Press. Men of similar training and experience are in charge of the movement of each report. During the 15 hours following 3 a. m., these two men each will move roughly 150 stories. Given identical news to handle, the two associations will finish their movement of the day report at 6 p. m. and will end in a dead heat.

But if this procedure were followed day after day into infinity without consultation between the two press association editors, never could the two reports be expected to agree identically as to the hour and minute that each of the 150 stories was flashed across its respective wires. This being the case, it will be seen that it is entirely wrong to lay too much stress on the time of transmission for each and [fol. 2041] every story. On news of great moment this may be highly important, but as a rule it is of no consequence.

Even on big stories the time element often is not paramount to 90 per cent of the newspapers of the country.

With the understanding that a "beat" insofar as a newspaper is concerned is achieved only by publication and circulation of a story, it will be understood that if the Associated Press transmits a story three hours before a

paper goes to press, and the United Press transmits the same story only 30 minutes before the paper goes to press—but both stories arrive in time and are published in their respective papers—obviously no "beat" has been secured.

The Associated Press has some 1200 member papers in the United States, and the United Press has between 800 and 900 clients. Including foreign newspapers, both associations serve about the same number of papers. Of the domestic newspapers, by far the vast majority are outside of what might be termed metropolitan centers. Whereas in such cities as New York, Chicago, Philadelphia, and Washington papers have a number of editions, in the smaller cities and among daily papers in what might be called the rural sections, editions are limited to one or maybe two. Where there are two editions (taking afternoon papers as an example), the first would be primarily for newsstand and mail delivery, while the second, which in many instances would come two or three hours later than the first, would be for home delivery by carrier boys.

From this it further can be seen that the UP might move a story an hour or more ahead of the AP, or vice versa, but unless such story came at such a late moment as to miss a deadline, no newspaper "beat" would be secured.

Information sent over a press association wire as a "take" or as a story may be put into one of four categories. The most important category is flash information. The second is bulletin information. The third is information that is to be moved ahead of everything except flashes or bulletins, and the fourth category is all that remains.

[fol. 2042] Flashes are broken into the report the moment they come, even if in the middle of a sentence that is being transmitted. On the receiving end of the wire, a bell rings five times when there is a flash. This is to attract the attention of the newspaperman and to warn him that something of great importance is being transmitted.

Bulletins are broken in at the end of sentences. On the receiving end of the wire a bell rings three times to indicate a bulletin.

News services, even in wartime, do not average one flash a week. As many as 30 or 40 bulletins would not be unusual in a daily report.

Analysis of the daily comparison sheets on which the Government affidavit was based shows that the vast ma-

jority of the stories listed certainly were not flashes, and many of them probably were not even bulletins. This really is not unusual. Day in and day out, exclusive of such departmentalized activities as sports, there are only about three or four stories of sufficient importance to make the time of dissemination a factor of primary importance.

Too much stress cannot be placed on the fact that frequently the quality of a story, the way it is put together, and the judgment of the newspaper editor in the manner in which he will "play" it, are far more important from a competitive point of view than is the moment at which a story was sent over press association wires.

The Marino affidavit makes the mistake of trying to compute "beats" or "scoops" scored by the Associated Press and the United Press on the basis of an identical unit value for each story listed, but with utter disregard for the news value of any story. As an example, the Marino affidavit weighs each of the following stories the same:

Washington: Roosevelt Signs China Loan.
Mel Ott Named Field Manager of Giants.

[fol. 2043] Washington: Biddle Says Government Taking Every Precaution Against Sabotage.
Thirty Arrests in Alleged Traffic in Stolen Auto Parts.

Washington: Roosevelt Nominates Henderson as Price Control Administrator.

Cairo: Lull Has Lasted 24 Hours.
Japanese Planes Raid Port Moresby.
Avenol Quits as Secretary-General of League of Nations.
Welles Says Nazis Cause Appalling Famine in Greece.

Lisbon: The Wind-ors Look Over Their Ship.
Moscow Guerilla Detachments Create Panic Behind German Lines.
Hamburg and Bremen Off Air.
Roosevelt Says Country Needs Congressmen Who Will Back the Government.
Wagner's Stepdaughter Dies.
Germany Invades Holland.
Normandy Afire.

London: Boat With 320 Children U-Boated.

Washington: White House Says Pearl Harbor Attacked By the Japanese.
Goebbels Tells of Protecting Art.
Costa Rica Declares War on Japan.
Congress Votes Declaration of War Against Japan.

[fol. 2044] Rome: Gayda Accuses Swiss Papers of Bias.
Thailand Ceases Resistance.
CBS Reports the Army Says the Blackout Was Test.

Washington: Roosevelt Declines to Comment on Responsibility for Hawaiian Attack.
State Dept. Says Two U. S. Officials Arrested In Indo China.

A competent newspaperman would have had to classify the aforementioned stories in perhaps as many as half a dozen categories according to their importance and news value. Certainly the fact that newspapers all over the country played some of these stories on the front page, some of them inside the paper, and threw some of them into the wastepaper basket indicates that there is no possible logic in trying to weigh them numerically as equivalent units.

It is misleading to compare the transmittal time of an item from two press associations without being assured that the matter in question has passed over comparable teletype circuits. This is most important. For example, an item originating in Washington might go directly from Washington to Chicago on one press association circuit, but might be routed through New York or some other relay point by a competing press association. One example may be helpful:

The Government affidavit reproduces one page of Associated Press comparisons, those for February 13, 1942. Listed thereon is the story of Laura Ingalls' conviction, noted as handled by the Associated Press at 6:05 p. m. and by the United Press one minute later, or 6:06 p. m. From the files of the United Press, the report for that day shows that the United Press story about Miss Ingalls, signed by Joseph L. Myler, United Press Staff Correspondent, [fol. 2045] reached newspapers then on the United Press

direct circuit from Washington at 6:03 p. m., three minutes before it was cleared on the New York City circuit to New York newspapers, and two minutes before the time given as the Associated Press handling time. This being true, it is entirely possible that the United Press moved the story out of Washington at the same time or maybe before the Associated Press moved it out of Washington.

Other Washington stories mentioned in the AP comparisons for that day, when checked in the UP files, also showed earlier handling from Washington to newspapers on the direct Washington circuit than the times given in the AP comparisons. This being true, the only way to produce a set of time figures similar to those compiled by Miss Marino and be absolutely fair to both press associations would be to observe and record comparative operations of comparable teletype circuits of the two agencies over a given period of time and at various points throughout the United States. To produce the desired result, such observations could be made only by impartial observers with full cooperation of both agencies.

Miss Marino's obvious lack of familiarity with the subject at hand made it necessary for me to examine the Associated Press comparison sheets for the entire period covered and to give careful analysis to numbers of them, including the sheet offered as Exhibit A.

From the over-all examination, a number of obvious conclusions arose. The first of these is that the picture would have been entirely different had the UP assembled a "log" done in the same way as that of the AP and had the Government affidavit been based on the UP "log." For example, the tabulation in many cases was based on the AP comparison of the angle of a particular story which the AP picked as a lead, and which was compared in time with the movement of the same angle of the story by the UP, even though the UP might have moved an earlier story on the same subject but stressing a different angle.

[fol. 2046] To complete the example, the AP comparison for February 12, 1942 gives the comparative times for the movement of a Washington Army communique entitled, "Japanese Reorganizing in Philippines." The times given were 10:16 a. m. for the AP, and 10:19 a. m. for the UP, which according to the formula that was used in the affidavit was a 3-minute "beat" for the AP. Of interest, however,

it is a note on the AP comparison sheet which reads as follows:

> "AP used this for top of communique. UP used Jap occupation of Island of Masbate and moved it at 10:15 a. m. AP had island taken timed 10:23 a. m."

In other words, a "beat" was scored by the AP on an angle of the story and it is true this angle was moved three minutes earlier by the AP than by the UP. But the UP which used the occupation of the island of Masbate as the lead of its story, moved this lead one minute earlier than the AP moved its lead and moved the angle eight minutes earlier than the AP moved the same angle. Consequently, it will be seen that had the UP been preparing the "log," this would have been listed as a UP "beat."

Comparative news judgment plays an important part in the movement of stories. For example, in the AP comparison for February 2, 1942, it is shown that on that morning the AP dispatched an Aneta agency Batavia story about Japanese occupation of Pontianac at 7:09 a. m. while the UP, having simultaneous access to the Aneta story, transmitted it at 7:20 a. m. One would have to see the copy sent by the two agencies to draw any fair conclusion on value of the comparative stories. Certainly both versions were moved in ample time for all the afternoon newspapers and the story obviously was not one in which there was any reason for undue haste.

> (It should be pointed out here that I do not ignore the factor of geography and the part it plays in newspaper publication. The material referred to in the [fol. 2047] Government affidavit was news filed into or out of New York City and New York City times of day are in question. Certainly the difference between Pacific Coast time and Eastern time plays a part in what stories get in what papers. It is impossible in this affidavit, therefore, to make adjustments for every statement referring to time of transmission. For this reason, this should be taken into consideration and it should be realized that whereas many stories originate in New York and may result in a time disadvantage for other locations, similarly, stories originating else-

where may result in a time disadvantage in the Eastern Seaboard.)

On the same day (Feb. 2, 1942), at 11:20 a. m., the UP transmitted an Aneta eye-witness account of the battle in Macassar Straits. The AP did not transmit this story until 12:33 p. m. The hour and 13 minutes of difference in transmitting this eye-witness account may have meant that some UP papers carried this story when AP competing papers did not have it, there being editions of many papers at about that time of the day.

Many of the "beats" listed in the Government affidavit are on the ordinary stories moved between 3 and 8 a. m., a time unimportant for most newspapers throughout the East. During these hours, press associations are moving copy for first editions of afternoon papers. Many news service editors prefer to file completed stories without interruption during this period. Consequently, if one association files a 700-word story in one "take" and another association files the first hundred words and then interrupts to file the first "take" of another story, obviously an early transmission of part of both stories thereby is achieved, but if time is not important this is a matter within the discretion of the association editor.

It has been my observation that telegraph editors of afternoon papers, by and large, prefer to have completed [fol. 2048] stories come over the wires at this time of day whenever possible.

It should be pointed out at this juncture that press associations at the beginning of each day-report and each night-report send a general schedule showing what news is at hand and is to be disseminated during the course of the report. This schedule is most helpful to telegraph editors because with it at hand they are able to plan in advance for a story which they know is coming later. This minimizes to some extent the importance of time of transmission of many stories. Obviously, no press association is able to forecast spot news of great importance which may break at any time and which of course is handled in the proper way in direct ratio to its importance.

A check of the first 17 days of February, 1942, shows that 59 out of the 283 items listed in the Government affi-

davit as "beats" were items filed between the hours of 3 and 8 a. m.

It is common practice in the press association field to move at any convenient time in advance, stories which have a release date some hours later. For example, on February 6, 1942, the AP moved at 5 p. m. an advance story telling that school-teachers were to issue sugar rationing books. The UP moved this story at 5:05 p. m. The release hour for the story by newspapers was 9 p. m., four hours later. Nevertheless, this is listed in the AP comparisons as a "beat."

Exhibit X of the Government affidavit reproduces the AP comparison sheet for February 13, 1942. Seventeen stories or items are listed for that day. I have examined the final editions of the New York World-Telegram and The New York Journal-American for that date, also the final editions of The New York Times, the New York Herald Tribune, the Daily News and the Daily Mirror for February 14, 1942, it being understood that the news transmitted and recorded on Government Exhibit A was for both [fol. 2049] afternoon papers of February 13 and morning papers of February 14.

Careful examination of these New York newspapers results in the following comment on the stories listed on the AP comparison sheet, one by one. A diligent research job was done in this newspaper examination, but it of course was subject to human error. For that reason I shall not say categorically that certain stories did not appear in certain newspapers; instead, it will be said that they were not noted or were not observed. Taking them in order:

"Washington: Army Corps. Increased Action on Bataan; Two Jap Bombers Down." This story was not noted in the World-Telegram or the Daily Mirror. The Journal-American final edition used one paragraph at the end of an AP story. The Times, Herald Tribune and Daily News all used the UP story on page 2, although the UP was listed as being a few minutes slower than the AP in transmission of the story.

"Washington: Roosevelt Signs China Loan." This story was not observed in the Herald Tribune, Mirror, World-Telegram or Journal-American. The Daily News used one paragraph on page 8 from the AP. The Times used 5 paragraphs on page 5 but it was a story from a

Times correspondent, not from one of the news services.

"Washington: Radio Manufacturers Ordered Convert to War Production." This story appeared on page 1 of the Journal-American, Herald Tribune and Times, on page 3 of the World-Telegram, page 5 of the Mirror and page 6 of the Daily News. All used the AP story except The Times, which used its own correspondent's story.

"Washington: Former King Carol of Roumania Not Welcome in U. S." This story was not observed in the Daily Mirror, the Journal-American used one paragraph from the UP story and played it on page 1, the World-Telegram had the same story on page 10 using 4 paragraphs from the UP, the News used the UP story on page 10, the Herald Tribune used it on page 5 but from a special [fol. 2050] correspondent, as did The Times on page 6, although The Times also coupled its correspondent's story with the UP story.

"Washington: Laura Ingalls Convicted." This story was transmitted too late for use by the afternoon papers but The Times and Herald Tribune played the AP version on page 1, while the Mirror and News used the UP story on pages 5 and 7, respectively.

"London: Fleet: Three or Four Torpedo Hits Scored in Dover Straits Battle." This story lists an 8-hour advantage for the UP on one of the many angles of one of the day's important stories, the aftermath of the escape of the German battleships Gneisenau and Schornhorst and the cruiser Prinz Eugen, from Brest, through the English Channel to German ports. This was an important angle of the story, to be sure, but any analysis should have taken into consideration the fact that the night before both services had covered the first break of the story shortly before 9 o'clock. On the record for Thursday, February 12, the UP got a 1-minute "beat" on the comparison sheet on the basis of a bulletin. In reality, the original story the night before was carried at a time when several minutes one way or the other would have made little difference.

"London: Bremen Radio Says Battleships and Cruiser Arrived at Base." This story was listed in the AP comparisons as an apparent exclusive, although UP had supplied similar information from London sources earlier in the day.

"London: Editorials Blast Churchill." This was a "build-up" story wrapping together critical London news-

paper editorials. Analysis of the New York newspapers shows that both the AP and the UP carried extracts from such editorials at various times during that day.

"London: Singapore Radio on Air for Regular Broadcast." This again was one angle on the general story of the impending surrender of Singapore to the Japanese. It [fol. 2051] appeared in most newspapers as one or two paragraphs of the main Singapore story.

"Canberra: Emergency Parliament Session Called for February 20." This minor item was not noted in the final editions of the Journal-American or Herald Tribune. The Times used it on page 3 from a special correspondent. The World-Telegram used one paragraph from the UP story and played it on page 24. The News and the Mirror used the AP story on page 20. This is a good example of the part telegraph desk judgment plays in the use of a story. In this case, the News and the Mirror used the AP story, despite the fact that the UP delivered it seven hours ahead of the AP.

"Canberra: Word Received from Percival." On this small angle of the general story about Singapore, the Herald Tribune used one paragraph on page 2 and it was not noted in other newspapers.

"On China-Burma Border: Fresh Chinese Troops Arrive." This story received little attention from New York telegraph editors. The World-Telegram used one paragraph on page 9. It was not noted in the Journal-American. The Daily News used 2 paragraphs of the AP story on page 8, and the Daily Mirror on page 2. The Herald Tribune on page 1, instead of using this story, used a UP Chungking story and tacked the Chinese troop reënforcement angle on at the bottom thereof.

"Singapore: Reuters Reports Heavy Fighting West of the City." This story apparently was not included in the Marino Computations, because it was listed as an AP exclusive.

"Batavia: Jap Drive Slackening." This was a story on which the two associations had a different point of view. AP comparisons noted the UP was less optimistic. The Times and the Herald Tribune on pages 3 and 2, respectively, used brief portions of AP story, which seems not to be the same story, but undoubtedly was a later AP story about Macassar having been set afire.

[fol. 2052] "Rangoon: Heavy Fighting in Paan Sector." This story was not noted in the Herald Tribune, Journal-American, World-Telegram and Mirror. The News used the AP story on page 8, the Times used it on page 2.

"Tokio: Japs Admit Resistance Two Miles from Heart of Singapore." This angle of the general Singapore story was not noted in the World-Telegram or Mirror. The Journal-American used one paragraph of the AP story. The Herald Tribune, Times and News used the UP story on page 2. Again it will be noted that time of delivery was unimportant. The AP having delivered the story two hours ahead of the UP, nevertheless, as just noted, the Herald Tribune, Times and News used the UP story.

"Tokio: Japs to Treat Prisoners According to Hague Protocol." This story was listed in the Government exhibit as a UP exclusive. Examination of the UP report for the day does not disclose the story at all, so possibly the affidavit was in error.

"Moscow: Soviet Forces Enter White Russia." The Herald Tribune used the AP story on page 1. The Journal-American used a story from the International News Service. The Mirror used the AP story on page 2. The News used the AP story on page 3 and the World-Telegram used it on page 13. The Times used a Berne special story on page 3. (United Press records for the day disclose the fact that the UP Moscow Bureau was beaten by 7 hours on this story, but UP picked it up from the Exchange Telegraph in London in time for dissemination to all afternoon newspapers. This parenthetical reference is made merely because it illustrates the virtual impossibility of one agency sewing up all avenues of access to any story.)

"Berlin: British Destroyer Sunk; One Set Afire in Dover Straits." This minor angle of the Scharnhorst-Gneisenau story was observed only in the Journal-American, one paragraph on page 6.

The foregoing comment on the comparison for February 13 shows that many of the stories were not important, [fol. 2053] many of them received secondary treatment by New York newspapers, certainly among the most alert in the United States, and many of them were not used at all.

Many factors which cannot be reduced to statistics contribute to the value of a news service to a newspaper. One of these factors is transmission. The forward looking

news service will chart transmission shortcuts in advance and be ready to employ these quicker facilities when the big story breaks. Another factor is the timely placement of reportorial talent on potentially important news fronts.

No story tests the strength and flexibility of a press service as severely as war. This has been especially true in the last decade when first the ominous threats of war and then war itself have been the big continuing news story for all newspapers everywhere.

Without in any way drawing invidious comparisons, it is a matter of record that over the last ten years the UP—due to what appears to have been a keen appreciation of the meaning of certain world events plus advance transmission experiments in remote parts of the world, the canny placement of seasoned reporters ahead of the right time, and the willingness of management to underwrite such a program—has in fact scored notable wartime "beats" beginning with the invasion of Ethiopia in 1935 and running through the many developments which have followed in the wake of that aggressive thrust.

In this connection, attention is called to an AP memorandum taken from the material supplied the Government from the AP comparison records. This memorandum, signed T. H. O., and dated June 11, 1940, gives credit where credit is due for superior war coverage in the following language:

> "On Monday, June 10, front pages of four non-New York evening members with plural news services were nearly all AP in dealing with Italy's entry into the war. That is in marked contrast with Russia's [fol. 2954] move into Poland, the German grab of Scandinavia, the German entrance into the Low Countries, and the Dutch surrender."

Following up this T. H. O. memorandum, examination of the AP comparison report for the night of May 9 and the day of May 10, for example, illustrates the advantage secured by the UP in bringing the news of the German invasion of the Low Countries. A copy of the AP comparison sheets for these days is attached as Exhibit A to this affidavit. It shows a number of significant stories scored in the Government's tabulation as "beats" for the UP. Certainly this invasion was important news. But

insofar as the tabulation of the Government affidavit is concerned, each of these news items was weighed the same as all of the other hundreds of items in the 63 pages of tabular material.

Ignoring the factor of weight in such a mathematical formula is not only erroneous but definitely misleading. The numerical conclusion drawn by the affidavit, namely, that a total of 18,747 "beats" were scored by the two news services in a period of 30½ months is absurd. 18,000 real "beats," which gave one press association or another a competitive advantage over its rival, have not been scored by all press associations in the United States during their combined lifetime.

In complete fairness to the subject at hand, much more could and should be presented. The material already given, however, will, it is believed, provide adequate basis for a sound evaluation of the matter. Briefly, therefore, it may be said in conclusion that "beats" or "scoops" as a newspaperman knows them are few and far between. One was scored spectacularly last year when the news of the execution of the Nazi saboteurs was transmitted by one press association half a day or more before it was carried by any of this service's competitors. This was a real [fol. 2055] "beat," but scored by the AP and not scored by the UP, but by the International News Service.

Newspaper "beats" in which press associations figure by and large are afternoon paper matters. Even with allowance for difference in time between the United States and news centers abroad, most news develops between 6:30 a. m. and 6:30 p. m. Consequently, morning papers have little opportunity through their wire services to secure competitive results. Today in particular other influences exert themselves insofar as "beats" and "scoops" are concerned. Wartime restrictions of the Federal Government play an important part in decisions of newspapers to bring out extras, to slow up press runs while waiting for a made-over page, or to expend unnecessarily any newsprint. These restrictions also have resulted in fewer pages in newspapers, and, consequently, fewer columns of news.

Whereas several years ago, for example New York afternoon newspapers had as many as 7 editions, now they are down to 4. Curtailment to a marked degree has been true also in the morning field.

It would seem logical to me that one reading this affidavit might be expected to ask this question:

> "If what this says is true, why, then, did the AP list all these stories that are called of no great significance in this comparison sheet?"

I do not know the answer. Perhaps it was done to provide material for advertising promotion; perhaps it was done as a rather extensive daily record for busy AP executives; perhaps it was part of the program of the AP in keeping an extensive record because AP newspapers are members of an association rather than clients or customers. At any rate, in my judgment the hundreds of pages of comparisons include thousands of stories that, by and large in the newspapers over the land, both AP and UP, received insignificant treatment or ended up in the wastebasket. [fol. 2056] It should be noted, however, that it is the Government, and not the AP, which calls these comparisons "beat records."

(S.) William Mapel.

Subscribed and sworn to before me this 17th day of June, 1943. Phillips Norton, Notary Public. (Seal.)

[fol. 2057] EXHIBIT "A"

5/14/40
Comparative logs late night May 9 a nd early May 10 on
NAZIS INVADE NETHERLANDS, BELGIUM AND LUXEMBURG

AP	
UP	

7:11p—Brussels, communications with Holland cut.
7:57p—Berlin, communication with Netherlands cut.
10:13p—New York, communication with Netherlands cut.
11:44p—Amsterdam, O'Sullivan radiocasts tension relaxed.

6:50p—Amsterdam, communications cut.
7:27p—Amsterdam, canal locks closed.

10:27p—anti-plane guns begin fire.
10:50p—They fire at German planes.

12:11a—Amsterdam, air battle over Amsterdam.
12:13a—Amsterdam, planes dive on bombers believed to be German.
12:17a—Berlin denial that invasion of Holland is under way.
12:26a—Welschap drome bombed.
12:27a—Nazi planes try to land at Nouburg.
12:46a—parachutists at Sliecracht and Delft.
12:55a—parachutists at Dordrecht.
1:00a—Amsterdam, reports Germans crossed Dutch frontier.
1:09a—Amsterdam, general lead, Germany invaded Holland, land troops being preceded by blitzkrief air attack on Dutch dromes and landing of parachutists.

1:25a—London, reports of foreign planes over Holland.
1:34a—Berlin, Dutch hear by radio Nazi parachutists have Landed in Holland; fighting on.
1:55a—Berlin, DNB tells of Germany telling Belgium and Holland Allies intend invasion.
1:57a—Berlin, DNB, Nazi troops will safeguard Dutch and Belgian neutrality.
1:58a—London, Reuter, Dutch radio says Nazis have landed at Waalhaven.
1:40a—Washington, Cudahy informs state dept Belgium, Holland and Luxembourg expect attack.
2:05a—Washington, Cudahy reports Luxembourg invaded.

1:40a—same as corresponding AP.

2:05a—Same as corresponding AP except flashed at 2:02a.
2:15a—Amsterdam, Dutch officially at war with Germany.
2:18a—Washington, Cudahy reports Nazi bombing Brussesl airport.

[fol. 2058] EXHIBIT "A"—Continued

Sheet Two

AP .....

UP .....

2:07a—Paris, air raid alarm (UP at 2:03a).

2:0 a—Berlin, military operationed launched against Holland, Belgium and Luxemburg.

2:11a—Brussels, planes cause alarm.

2:15a—Brussels, Belgium invaded by German planes.

2:22a—Brussels, airport bombed.

2:30a—London, Reuter, Dutch and Belgians ask aid.

2:28a—London, same as AP 2:20 (ExTel).

2:27a—New York, CBS Goebbels tells why.

2:30a—Amsterdam, Queen says will do her duty. (AP Hilvarsum 6:53a).

2:37a—Washington, Roosevelt freezes Dutch, Belgium, Lux' assets (AP 8:12a).

2:33a—London, Dutch legation says we are allies of Britain and France.

2:37a—London, Extel Belgium and Holland ask aid.

2:56a—Brussels, general lead Nazis invade three countries.

3:09a—Army ordered to protect the Low countries. (AP HAD IT AT 4:57a)

3:27a—London, Britain and Holland will get aid.

3:27a—London, same as corresponding AP except that UP flashed at 3:26a.

3:50a—London, Reuter, Lyons drome bombed. (UP Paris 4:20a).

3:51a—London, ExTel, killed by Nazi planes at Brussels.

4:13a—New York, CBS, Goebbels tells of Dutch-Belgian plot for revolt in Germany.

4:40a—Paris, Lyons drome bombed. (Cf AP 3:50a and UP 4:20a).

4:35a—Paris, France will aid.

5a—London, ExTel, 400 casualties at Brussels.

5:36a—London, ExTel, Hitler messages troops. (UP 5:37a).

4:38a—London, Nazi mines laid outside Dutch and Belgian ports. (AP 4:58a).

5:40a—London, 5 Nazi planes downed in France. (UP 5:36a).

6:02a—Hilversum, Holland at war with Germany. (UP had at 2:13a).

6:12a—Paris, Havas, Nancy, Lille, Lyon, Colmar, Pontouse, Luxeuil bombed.

7:04a, New York, CBS, Hitler gone to front. (UP Berlin 7:17a).

7:08a—Berlin, Hitler gone front.

7:06a—Berne, damage by forn planes

5:31a—Washington, Bullitt phones Calais and Dunkirk bombed.

5:32a—Berne, Swiss points bombed. (Cf AP 7:06a).

7:13a—Zurich, Swiss Mobilize. (AP London Reuter 7:19a, AP Berne 7:21a.)

[fol. 2059]

5/13/40

Comparisons Friday, May 10, '40

	filed	reed	desk	AP	UP
London, Chamberlain resigns	3:14p	3:17p	?	3:20p	3:17p*
Churchill prime minister	3:15p	3:20p	?	3:22p	3:18p*
Nazi land on Frisian islands	8:02a	8:12a	8:24a	8:26a	8:15a*
Nazi fire bombs at Chilham	8:47a	8:59a	9:08a	9:22a	8:59a*
Labor willing if Chamberl' quits	12:35p	12:46p	12:50p	12:51p	12:47p*
Warning of Nazi parachutists	2:57p	3:08p	3:10p	3:12p	3:05p*
First take Chamberlain radiocast	(from Radio)			4:08p	4:08p
Dutch Nazi-held dromes bombed	4:03p	4:13p	4:15p	4:17p	4:14p*
Nazi troops planes destroyed	8:49p	9:09p	9:10p	9:14p	9:12p*
Berlin, Metz and other Fr dromes bomb	9:45a	10:25a	10:28a	10:31a*	10:47a
Nazi sub sinks British sub	12:15p	12:59p	12:53p	1:09p	12:23p*
Maastricht captured	6:35a	2:30p	2:35p	2:41p	12:43p*
100 enemy planes destroyed	2:50p	3:21p	2:47p (ex G radio)	2:55p	2:28p*
5 bombs for 1 threatened (Reuter's Berlin)	5:45p	5:11p	6:17p	6:21p*	7:34p
Kirk returns	11:25a		1:06p	1:35p*	1:38a
Paris, allied troops in Belgium, AP					
Havas, UP Agence Radio	8:12a	8:50a	8:55a	8:59a	7:45a*
Nazi warned of bomb reprisals	9:28a	10:35a	10:40a	10:41a*	11a
Reynaud reorganizes cabinet	1:05p	2:08p	2:10p	2:11p*	2:15p
AP London Reuter*				1:47p*	
Gamelin peps up troops	10:50a	11:06a	11:11a	11:18a*	1:37p
The Hague, bomb near U. S. Min. Gordon	5:15p	7:53p	7:55p	7:56p	8:54a*
Batavia, Nazi interned	8:10a	9:53a	10a	10:47a	10:10a*
Brussels, Nazi halted at border	7:30a	12:02p	?	12:35p*	12:38p
AP Amsterdam, UP London, Dutch announce attack failed	3:40p	4:58p	5:02p	5:03p	2:13p
Amsterdam, 100 Nazi planes downed (AP Reuters Amsterdam)	9:09p	9:25p	9:29p	9:31p*	9:55p
Brussels, Leopold proclaims. (Paris)	9:15p	9:30p	9:33p	9:34p*	11:40p

Front pages:

Providence Bulletin—Led with UP undated; used AP London Churchill in vice Chamberlain, AP Paris allied army in Belgium, AP Brussels Nazi stopped near border, AP Rotterdam, Nazi parachutists mopped up.

Detroit News—Led with UP Amsterdam general lead; used UP London, Dutch saying Nazi surprise attack failed, AP Paris allied army in Belgium, UP London Churchill, AP Rotterdam, UP Berlin 100 allied planes downed.

Buffalo News—Led with UP Berlin general lead; used AP Rotterdam with Harrelson's byline, AP Brussels with Okin's byline, UP London Churchill.

Newark News—Led with AP undated; used AP Brussels, AP Rotterdam, AP Paris allied army, UP London Churchill.

[fol. 2060] AFFIDAVIT OF HAROLD L. CROSS

STATE OF NEW YORK,
County of New York, ss:

HAROLD L. CROSS, being duly sworn, deposes and says:

I permanently reside at Harlaine Farm, Skowhegan, Maine, and in connection with a special mission I am undertaking am now temporarily residing at the Hotel Grosvenor, 35 Fifth Avenue, New York City.

Since October 1912 I have been a member of the Bar of the State of New York. For many years prior to 1937 I was a member of the firm of Sackett, Chapman, Brown & Cross, 154 Nassau Street, New York City, and since January 1, 1937 I have been counsel to that firm. Though withdrawn from active general practice since that date I have from time to time engaged in special counsel work for publishers and groups of publishers of daily newspapers. Between 1922 and 1937 I was secretary of and counsel to New York Tribune, Inc., owner and publisher of the daily and Sunday newspaper New York Herald Tribune.

Since September 1927 I have been a member of the faculty of the Graduate School of Journalism, Columbia University, New York City, and since January 1, 1937 have been professor of journalism therein.

Thus for varying periods for more than a quarter of a century, as lawyer, newspaper executive, occasional writer of news and editorials, and teacher, I have been in direct contact with the legal, editorial and financial problems of daily newspapers.

I have read the affidavits herein verified by Alfred McClung Lee and submitted by the plaintiff in support of its motion for summary judgment, and also the affidavit of Guy Raynor Hill, verified May 24, 1943.

Mr. Lee's affidavits are three in number, verified respectively May 10, May 20 and May 22, 1943. The first and third of those affidavits refer to and purport to explain and point out salient facts in voluminous exhibits and statistical [fol. 2061] tabulations. In the second affidavit, which contains no mathematical data, Mr. Lee expounds his philosophy as to what democracy must permit in order to be healthy, quotes miscellaneous utterances by William Allen White, William Randolph Hearst and Robert R. McCor-

mick, refers to a controversy concerning "non-competitive daily newspapers" in which the affiant takes his stand with those who "point to the correlation between the rise of unified control of dailies in so many of our cities and the increase in non-controversial circulation 'bait' in an economic or political sense in daily newspaper columns," refers with approval to several chapters in a book of which he is the author, and states certain conclusions which are commented upon below.

Analysis of the first and third Lee affidavits and the accompanying exhibits shows that in many respects they are incorrect in point of fact and misleading in aggregate effect. In the great mass of matter set forth there is, of course, included considerable material which is correct, but along with this there are included errors so serious as to cast grave doubt upon the whole. These errors are of two sorts: (1) factual errors in figures and compilations and (2) misleading presentation of material with the result that much of that which is presented as sworn fact is in reality mathematical special pleading masquerading as fact.

As a simple illustration of factual error, one that may easily be checked independently even by a non-mathematician, I direct attention to the first of Mr. Lee's affidavits (May 10, 1943) and take the most detailed exhibit (Exhibit No. 7), which sums up Mr. Lee's researches on relative population and circulation figures in five decades in the 25 largest cities in the United States, on the basis of which he finally arrives at a set of comparative index numbers. On the first page of this exhibit, which sums up the figures set forth on the following nine pages, Mr. Lee has [fol. 2062] given the aggregate population of the 25 largest cities in the United States as follows:

1900	2,576,438
1910	6,647,384
1920	10,696,355
1930	15,477,606
1940	16,745,522

These are obviously wrong. In 1900 the population of New York City alone was over 3,000,000. Checking the above quoted figures against the total of the figures for the various cities in the following nine pages of Exhibit No. 7,

it appears that there is an error in the above figures of 10,000,000 all along the line. As that exhibit is concerned with ratios, the constant size of the error does not prevent serious results. The error of writing 2,576,438 for 12,576,438, if it stood alone, might be explained as an error in typing, but in three of the years given there has been a change in the figures, e. g., in 1930, "15" has been substituted for "25."

In spite of the fact that those figures are obviously wrong, they have been used in compiling the index numbers set forth in the middle of the first page of Exhibit 7. Here again I shall take only one example out of the several available. In arriving at the index number for 1940 Mr. Lee as a matter of arithmetic has correctly divided 16,745,522 by 10,696,355, thus obtaining 157 as the population index number for 1940. The trouble is that each set of figures thus used is wrong. If the calculation is made with the correct population figures the index number will be found to be 129 and not 157. Whereas the exhibit as prepared by Mr. Lee shows (for example) a large drop in evening circulation in proportion to population (128 for circulation as against 157 for population) the two actually ran almost exactly even (128 for circulation and 129 for population).

[fol. 2063] In this exhibit, as elsewhere in the affidavits, figures are presented as things apart and not as having connection with reality. Thus figures are presented for relative average morning circulation in different years and the statement is made (first affidavit, page 6) that "• • • the 1942 index number for average morning circulation was 232" when compared with 1920. Mathematically this may be correct, but how little it means in terms of reality may be illustrated by turning to the second page of Exhibit No. 7 and taking the figures for New York City, since this is the place where the case is being heard. In 1920 the circulation of New York morning papers is stated at 1,527,658. In 1942 it is stated at 3,568,417. It is true that the latter figure is somewhat more than twice the former, but this statement of averages is misleading rather than helpful because it tends to create the impression that the circulation of the group of newspapers being published in New York in 1920 had doubled by 1942. The truth is quite different. Actually the increase in the total figure is mainly

due to the arrival in the New York scene of the two newspapers commonly called tabloids, the Daily News and Mirror, the first of which was established in 1919 and the second of which began publication in 1924. In 1920, the first year after its founding, the circulation of the News was approximately 249,646. In the ensuing 22 years it swept to a circulation of over 2,000,000. It is interesting and significant to note that the Daily News did not become a member of The Associated Press until 1927 and that without such membership its circulation rose in eight years from nothing to approximately 1,002,976 daily. The corresponding Sunday circulation figure was approximately 1,244,316. The Mirror circulation between 1924 and 1942 went to approximately 804,684. Thus to present the result as if the other New York City newspapers which were in existence in 1920 had benefited by a doubled circulation is misleading. [fol. 2064] Another instance of similar character is to be found in Exhibit No. 3, which deals with urban and non-urban circulation of United States daily and Sunday newspapers from 1920 to 1940. Assuming these calculations to be correct as a matter of arithmetic, the tabulation is to be taken with great reserve so far as reality is concerned, because the tabulation depends upon shifting definitions of the terms urban and non-urban and also upon shifting designations of geographical areas comprehended within those terms. As Mr. Lee states in a note attached to the exhibit, the area within these terms is one designated by the Audit Bureau of Circulation in consultation with the particular newspaper involved. For a number of years I spent my summers at Grove Beach, Connecticut, and after that spent a number of summers at Sagaponack, Long Island. During each of those periods I habitually bought a New York morning newspaper at the railroad station news stand in the country and read the paper on the way in to New York. Similarly, I regularly purchased a New York evening newspaper at a news stand in the city and read it on my way down to the country. As a human being I was the same "reader audience" all day long, but as a statistical abstraction I was non-urban in the forenoon and urban in the afternoon. Similarly, during this past winter, due to gasoline and fuel oil shortages there were in the City of New York a number of newspaper readers who as statistical abstractions remained urban both morning and afternoon, who in their previous residential habits had been non-urban

in the forenoon. At all events that may be the case depending on the then current geographical area within the term non-urban as arranged between the particular newspaper publisher and the Audit Bureau of Circulation. Moreover, even if these tabulations evidence some kind of offense on the part of newspaper publishers (certainly neither sin nor responsibility is charged to The Associated Press, much less proved), the offense certainly may be characterized as a "little one," for the tabulation shows [fol. 2065] that the morning urban percentage figure increased in twenty years only from 52.7 to 55.3, which percentage actually went into a decline in the decade of the thirties from 55.7 to 55.3.

Another readily verifiable instance of discrepancies, though perhaps less harmful, may be obtained from Exhibits 4 and 5 to the same Lee affidavit (May 10, 1943) by comparing the "total daily" figures in Exhibit 4 for 1919, 1929 and 1939 with the total figures for the same years given in Exhibit 5. Thus the figures in Exhibit 4 for those three years are respectively 2,078, 1,944, and 1,888, whereas in Exhibit 5 the figures are 2,441, 2,086 and 2,040. Here one may hazard the conjecture that the source of the discrepancies is to be found in the varying sources from which the figures are drawn, but the affidavit contains neither an explanation of the discrepancy nor any indication which figures are the correct ones or which figures have been used by Mr. Lee in formulating his general conclusions expressed elsewhere in his affidavits.

I shall now give examples of the second type of error, of misleading presentation of material. Here the error lies in presenting under the guise of mathematical facts results which are actually solely due to the selection of material. Before illustrating this from the other affidavits, an example will be given from the first Lee affidavit (May 10, 1943), Exhibit No. 6. This exhibit shows, in two pages, the "circulation of AP and non-AP dailies in fifty cities." By this method of classification Mr. Lee lists as an AP evening paper, for example, the New York World-Telegram, which is owned by the owners of UP, and which furnishes its news to UP. As summarized in the body of the affidavit (page 4) the following statement is made:

> "The exhibit shows that the total circulation in these cities of morning AP papers was 11,140,590 and that

the total morning circulation of non-AP papers was 620,287, of which 277,025 represents the circulation of the Chicago *Sun*. The exhibit shows that the total circulation in these cities of evening AP papers was [fol. 2066] 10,578,759 and that the total evening circulation of non-AP papers was 2,506,959."

As the best way of illustrating the utter worthlessness of a table of this sort, I have attached an analogous exhibit, using the same supporting figures given by Mr. Lee on which he prepared his own exhibit, this Exhibit No. 1 of mine being entitled "Circulation of UP and non-UP dailies in fifty cities." This exhibit is attached. I repeat that it is of no more value than Mr. Lee's, and is simply given to illustrate my point. This exhibit shows that the total circulation in these same cities of morning UP papers was 8,840,614 and that the total morning circulation of non-UP papers was 3,313,649. This exhibit further shows that the total circulation in these cities of evening UP papers was 9,966,410 and that the total evening circulation of non-UP papers was 3,096,064.

The third Lee affidavit, dated May 22, 1943, with its supporting exhibits, is marked by the same defects already discussed in connection with the exhibits to the first Lee affidavit. For example, the same type of selective presentation discussed in connection with Exhibit No. 6 to the first Lee affidavit is found in Exhibit No. 13 to the third Lee affidavit. In the first classification in Exhibit No. 13, morning daily newspapers having circulations of over 200,000, sixteen papers are shown as AP and one paper is shown as non-AP. It is equally true that of these seventeen papers twelve are UP and five non-UP, as shown by the detailed statement in my Exhibit No. 1. In neither event is the result significant, except as showing that by selecting the categories in which the information is presented, it is possible to make the situation look predominantly AP, or predominantly UP, as the person making the selection may desire.

The same objection holds true to the material presented in connection with the affidavit of Guy Raynor Hill. Here again, much of the basic information is correct, but the [fol. 2067] form of presentation presents results that are not properly factual. For example, Exhibit C-1 is an outline map with many cities marked thereon entitled daily

morning newspapers published in the United States which were regular members of AP as of March, 1942. Exhibit C-2 is an outline map of the United States with very few cities marked on it entitled daily morning newspapers published in the United States which as of 1942 were not regular members of AP and were obligated, by contract, to furnish their local news to UP. By changing the form of presentation, as already illustrated in my Exhibit No. 1, a map can be prepared on which more cities are marked as cities where daily morning newspapers are published which are members of UP, with a second, accompanying map having fewer cities marked showing cities in which daily morning newspapers are published which were not members of UP and were members of AP.

Exhibit No. 1 (Lee affidavit, May 10, 1943) is devoted to the mathematics of "average circulation" of daily and Sunday newspapers in alternate years from 1921 to 1939. That which this exhibit appears actually to show is that the average circulation of newspapers has grown along with the growth of the country and of its population, which is natural, desirable and creditable.

Exhibit No. 2 deals with the total circulation of daily and Sunday newspapers from 1920 to 1942 and naturally shows substantial increases. Exhibits 1 and 2 read together appear to demonstrate the essential health of the newspaper publishing business as a public service by the best of all tests,—reader acceptance. Since journalism to fulfill its highest mission and purpose must at least, in my opinion, be by, for and of the people, this statistical proof of increased reader acceptance of American daily newspapers in the midst of the welter of competition of news by radio, news weeklies and pictorial magazines is gratifying evidence of sound health.

[fol. 2068] In respect to this Exhibit No. 2 dealing with total circulation, Mr. Lee states (page 3) that "the increase in circulation for morning and Sunday papers has been much greater than for evening papers." I believe that statement to be incorrect and it is not in accord with the understanding in the newspaper publishing business. It is, I believe, true that evening newspapers have gained *more* circulation than morning newspapers, though morning newspapers have gained a greater *percentage* in circulation. Indeed, analysis of the exhibit itself will show that my statement is correct.

Exhibits 4 and 5, though containing the discrepancies above mentioned, indicate a decline over the years in the number of daily and Sunday newspapers. In that connection it should be noted that Mr. Lee states (page 4 of the May 10, 1943 affidavit) that "the peak in the number of dailies was 1909." At that time The Associated Press was nine years old and practically alone in the news agency field. The INS had just been formed that year. The United Press, an amalgamation of three small news agencies in 1907, was, in 1909, almost as young an infant as INS. The fact is that the progressive decline in number of daily newspapers which so distresses Mr. Lee has gone along beside the great growth of the UP and INS in the news agency field. If there were a cause and effect relationship between number of newspapers and the situation in the news agency field, it would therefore appear desirable to do away with UP and INS. That, of course, is absurd. It is equally absurd to suggest a corresponding relationship between number of newspapers and The Associated Press.

Exhibits 1, 2, 4 and 5 (Lee affidavit, May 10, 1943) read together look as if there were something unfortunate or discreditable in a decrease in number of newspapers accompanied by an increase in circulation thereof. In my opinion, in view of the decline in number, the increase in [fol. 2069] circulation is not only natural but desirable from any standpoint. Indeed, if such an increase in circulation had not occurred the inherent probability is that the decrease in the number of newspapers which so distresses Mr. Lee would have been even more drastic.

The general purport of Mr. Lee's affidavit is to set forth a series of conditions in the daily newspaper field which distress the affiant, as, for example, the decline in number of newspapers, the increases in circulation, increase in percentage of non-urban circulation, etc. The effect, if any, appears to be to suggest that these are evils in themselves and that The Associated Press has some responsibility for them, although the affiant refrains from making any such charge and certainly presents no such proof.

From my experience and observation in the daily newspaper field, it is at least debatable whether any of these conditions is a real evil from any standpoint, and the fact is that the conditions, however they may be characterized, are the result of a great number of factors in the economic

conditions of the nation. Certainly no inference that The Associated Press is responsible in the premises may be drawn without specific assertion and precise proof.

Harold L. Cross.

Sworn to before me this 17 day of June, 1943. Pearl E. Loeber, Notary Public. (Seal.)

[fol. 2070]

EXHIBIT 1

Circulation of UP and non-UP Dailies in Fifty Cities

Place	UP Morning	Non-UP Morning	UP Evening	Non-UP Evening	UP Total	Non-UP Total
Fifty cities	8,840,614	3,313,649	9,966,410	3,096,064	18,807,024	6,409,713
1. New York	3,667,859	0	1,783,288	10,175	5,451,147	10,175
2. Chicago	298,195	1,065,297	880,427	462,964	1,178,622	1,528,261
3. Philadelphia	654,341	0	606,691	0	1,261,032	0
4. Detroit	329,682	0	682,899	0	1,012,581	0
5. Los Angeles	325,320	221,555	357,324	0	682,644	221,555
6. Cleveland	233,640	0	241,109	123,832	474,749	123,832
7. Baltimore	152,401	0	189,279	163,083	341,680	163,083
8. St. Louis	0	241,606	164,352	248,323	164,352	489,929
9. Boston	511,965	469,048	523,923	156,875	1,035,888	625,923
10. Pittsburgh	234,202	0	228,818	168,289	463,020	168,289
11. Washington	266,582	0	169,746	162,104	436,328	162,104
12. San Francisco	119,151	165,734	98,296	106,524	217,447	272,258
13. Milwaukee	0	125,243	284,039	0	284,039	125,243
14. Buffalo	123,658	0	219,907	0	343,565	0
15. New Orleans	0	133,965	0	126,542	0	260,507
16. Minneapolis	63,610	0	240,172	70,741	303,782	70,741
17. Cincinnati	127,329	0	150,730	152,215	278,059	152,215
[fol. 2071]						
18. Newark	107,521	0	189,805	0	297,326	0
19. Kansas City	0	308,100	64,162	312,570	64,162	620,670
20. Indianapolis	132,615	1,175	254,766	0	387,381	1,175
21. Houston	102,793	0	71,063	118,941	173,856	118,941
22. Seattle	0	106,108	177,465	0	177,465	106,108
23. Rochester	85,127	0	102,347	0	187,474	0
24. Denver	44,423	0	158,063	0	202,486	0
25. Louisville	120,442	0	133,858	0	254,300	0
26. Columbus	0	59,197	73,338	153,085	73,338	212,282
27. Portland	151,591	0	147,159	0	298,750	0
28. Atlanta	0	128,362	160,729	0	160,729	128,362
29. Oakland	0	0	136,383	0	136,383	0
30. Jersey City	0	0	0	41,230	0	41,230
31. Dallas	110,713	0	102,582	17,657	213,295	17,657
32. Memphis	125,112	0	96,808	0	221,920	0
33. St. Paul	63,802	0	102,010	0	165,812	0
34. Toledo	0	25,510	157,461	0	157,461	25,510
35. Birmingham	0	45,801	75,280	109,680	75,280	155,481
[fol. 2072]						
36. San Antonio	57,819	0	65,103	53,626	122,922	53,626
37. Providence	39,198	0	116,665	0	155,863	0
38. Akron	0	0	107,453	0	107,453	0
39. Omaha	93,657	0	91,975	0	185,632	0
40. Dayton	29,744	0	0	120,975	29,744	120,975
41. Syracuse	0	74,956	103,637	0	103,637	74,956
42. Oklahoma City	99,660	0	90,744	0	190,404	0
43. San Diego	32,791	0	51,289	0	84,080	0
44. Worcester	0	45,457	88,163	0	88,163	45,457
45. Richmond	90,527	0	0	83,656	90,527	83,656
46. Fort Worth	0	96,535	39,001	85,773	39,001	182,308
47. Jacksonville	92,430	0	0	47,204	92,430	47,204
48. Miami	79,827	0	46,463	0	126,290	0
49. Youngstown	0	0	71,060	0	71,060	0
50. Nashville	72,887	0	70,578	0	143,465	0

[fol. 2073] AFFIDAVIT OF JAMES S. SHORT

STATE OF NEW YORK,
County of New York, ss:

JAMES S. SHORT, being duly sworn, deposes and says:

I reside at 330 East 31st Street, New York, New York.

I am in charge of newspaper space buying in the main office of J. Walter Thompson Company, New York, and have specialized in the purchase of newspaper space for seven and a half years. The J. Walter Thompson Company acts as advertising agent for a large list of leading advertisers and has over the last five years purchased in the newspapers of the United States space averaging many millions of dollars a year.

Newspapers desire to secure such advertising and such advertising is a substantial source of revenue to newspapers.

One of the J. Walter Thompson Company functions exercised through the Media Department is to currently evaluate newspapers as vehicles for reaching the public. Their value is determined by circulation, cost, character and influence with the group they reach.

There are nearly 1,800 English language daily newspapers published in the United States. They have achieved leadership and importance as advertising media in their markets by many different routes. While most newspapers are probably bought primarily for news content, readership surveys indicate comics, pictures, columnists and features have equal interest. It is the space buyer's responsibility to appraise the achievement, not the individual features that bring it about.

The representatives of newspapers urge upon your deponent and the J. Walter Thompson Company all factors which might induce your deponent and the J. Walter Thompson Company to recommend their newspapers when advertising is being allocated.

[fol. 2074] In the experience of deponent membership in the various press associations is not a factor stressed in advertising solicitations by newspaper representatives. Although interviewing such representatives continuously deponent does not recall any recent instance in which membership in any press association was stressed as an impor-

tant reason for selection of a newspaper as against a competitor which lacked membership in such association.

James S. Short.

Sworn to before me this 14th day of June, 1943.
Marcia Jenkins, Notary Public. [Seal.]

[fol. 2075] AFFIDAVIT OF FRANK J. STARZEL

STATE OF NEW YORK,
County of New York, ss:

FRANK J. STARZEL, being duly sworn, deposes and says:

I am the Traffic Executive and Assistant Secretary of The Associated Press and am responsible, among other duties, for arranging wire facilities, their operation, and all communications phases of the association's activities; have engaged in news gathering, news distributing and directly related work for approximately 25 years; have been employed by The Associated Press for 15 years; and have acquired a comprehensive practical knowledge of all phases of communications as applied to operations of a press association.

I have examined and analyzed the affidavit of Manfred K. Toeppen filed by the plaintiff in this case and also have examined statements prepared by the American Telephone and Telegraph Company and the Western Union Telegraph Company showing details of communications facilities furnished by these carriers to The Associated Press for its operations and by the A. T. & T. showing details of communications facilities furnished by it to United Press for its operations.

The statement by Mr. Toeppen purporting to be a comparison of the communications facilities employed by The Associated Press and the United Press contains errors of substantial proportions as to facts, arbitrarily excludes certain facilities utilized by the United Press with the effect that the result distorts the presentation, sets up a wholly impractical and illogical method of purported comparisons and disregards vital considerations essential to a fair analysis of the facilities used by The Associated Press and United Press.

Although Mr. Toeppen's affidavit states that the figures entitled "Mile Hours" are calculated on the *airline* channel miles utilized by the two organizations, an examination of the exhibit entitled "Circuits Leased from Western Union" [fol. 2076] shows that he has used *railroad* mileage on all Western Union circuits used by The Associated Press (with the exception of four circuits accounting for a total of 1,877 contract miles which actually are leased on an air mile basis). Mr. Toeppen's calculations show a total of 44,168 channel miles leased by The Associated Press from Western Union. Of this total therefore, 42,291 channel miles represent railroad mileage which is on an average fifteen percent or more greater than airline mileage connecting the same cities. Since the United Press uses only the facilities of the American Telephone and Telegraph Company which prices all circuits on an airline basis, the inclusion by Mr. Toeppen of railroad mileage in making the purported comparison of Associated Press circuits is grossly inaccurate. For example, a Western Union circuit operated by The Associated Press from Atlanta to certain points in Florida is 1,538 railroad miles while a parallel circuit of the American Telephone and Telegraph Company connecting the same cities is 1,214 airline miles, the railroad mileage in this instance being 26% greater than airline mileage. For another example, a single wire connecting all cities on the New York-Kansas City trunk circuits of The Associated Press would be 3,173 railroad miles or 2,853 airline miles, railroad mileage in this instance being 11% greater than airline. The American Telephone and Telegraph Company tariff rate for a teletype-writer circuit is $18.00 annually per airline mile for continuous use while the Western Union rate is $15.00 annually per railroad mile; the A. T. & T. rate is 20% higher to equalize the differences resulting from airline versus railroad mileage pricing policies. Since more than one third of the circuits, used by The Associated Press are Western Union facilities, including many on which the arbitrary formula has its greatest distorting effect, this error makes the calculation wholly valueless for comparative purposes.

Mr. Toeppen arbitrarily multiplied by two the weekly contract hours on circuits operated as "round robin du- [fol. 2077] plexes" on the theory that such circuits provide double channels. In this he totally disregards the practical

considerations of round robin duplex operation in theorizing that double the round robin mileage is the equivalent of two single wires connecting the same cities. A single circuit connecting all the cities served on what is known as the New York-Kansas City round robin of The Associated Press would be 2,853 airline miles. Two such single circuits therefore would total 5,706 airline miles. A round robin circuit connecting these same cities is 3,397 airline miles; when this mileage is arbitrarily doubled (or the same effect produced by doubling the contract hours factor) the result is to produce a mileage of 6,794 miles. In other words, for purposes of comparison 1,088 miles have arbitrarily been added and in the case of Western Union circuits Mr. Toeppen's error in using railroad miles makes the figure 7,440 miles against 5,706 miles, a difference of more than 1,700 miles.

On the basis of Mr. Toeppen's calculations (and *including the errors* resulting from his use of railroad mileage), round robin duplex circuits leased by The Associated Press account for 1,026,455 mile hours or 28.7% of mile hours for all circuits leased from Western Union, while round robin circuits leased by The Associated Press account for 2,788,750 mile hours or 48% of mile hours for all circuits leased from the American Telephone and Telegraph Company. Combining the circuits leased from the two companies, round robin circuits leased by The Associated Press account for more than 40% of the mile hours in its entire system on Mr. Toeppen's method; against this, the round robin duplex circuits used by the United Press account for only 13% of its total mile hours. The distortion resulting from Mr. Toeppen's arbitrary and erroneous method of computing mile hours on round robin duplex channels is tremendous, producing a misleading and manifestly unfair comparison. I have not attempted to compute a comparison on another basis because it would necessarily be arbitrary and inconclusive since I know of no method for reasonably and accurately comparing round robin duplex facilities [fol. 2078] with single wires as Mr. Toeppen pretended to do.

Mr. Toeppen's calculation includes a total of 219,970 weekly mile hours covering wire connections to the borders of the United States on circuits to Canada, Mexico and Havana. Their inclusion is unjustified since this mileage

does not affect service to newspapers within the United States and only domestic newspapers' services are at issue.

The calculation by Mr. Toeppen arbitrarily and without sound basis excluded from the facilities of the United Press A. T. & T. Circuits Nos. 7751 and 7752, on the ground that these were primarily serving broadcasting stations. These circuits are an integral part of the United Press news distribution system and, contrary to Mr. Toeppen's unsupported conclusion that these circuits are only "incidentally" used to serve newspapers, the United Press has been engaging in extensive and intensive sales campaigns to place this circuit with newspapers for newspaper publication. In any event, it is manifestly misleading to exclude arbitrarily such a substantial portion of the United Press system in making a comparison of this nature. The total mileage of A. T. & T. Circuits Nos. 7751 and 7752 is not less than 20,100 miles contracted 24 hours daily, making a weekly "miles hours" total of 3,376,800, which is greater than the weekly "miles hours" figure shown by Mr. Toeppen for the total United Press system. In other words, Mr. Toeppen has arbitrarily eliminated more than half of the United Press' facilities for purposes of a purported comparison.

Mr. Toeppen's statement shows that The Associated Press has 1,774 "printers connected" to its circuits. I do not know the source of the figure but it bears not even a reasonable relation to the correct number.

Mr. Toeppen's formula, apart from the substantial errors already cited, is one arbitrarily adopted by him to serve his purpose and insofar as I know or am able to determine through competent sources has never been accepted or used by communications companies or press associations [fol. 2079] as valid or accurate. This formula fails to differentiate between day and night services, fails to give any regard to geographical divisions and fails to allow for the practical differences between contract hours and actual operations (in many cases as of the date taken " was necessary to lease circuits for a period of hours scribed by the tariffs as a minimum irrespective of their use.)

News distribution by press associations normally is handled by geographical divisions for reasons of related interests. The news report desired by a newspaper in Maine is substantially different in many respects from the report

which is ideal for a newspaper in California. The purported comparison by Mr. Toeppen fails to make any provision whatever for the practical consideration that a newspaper in Maine receiving a single wire eight hours daily is not affected or benefited by the fact that a group of large city newspapers in California receive a triple wire service running from ten to sixteen hours daily.

The figure "weekly mile hours", apart from the errors therein already pointed out, bears no relation to the relative ability of the two organizations to serve newspapers. Service to a morning paper in any city depends upon the facilities available during the late afternoon and night directly or reasonably calculated to serve that newspaper's interest and a morning paper is in no way benefited substantially by facilities leased by the news service in the early morning hours after the morning paper has been published or during the daytime hours. Similarly, service to an evening paper in that same city is in no substantial manner affected by the facilities available in the late afternoon, following the hour of publication for the evening newspapers, and during the night hours.

The purported comparison of "number of mile hours per city served" is a mathematical fiction and bears no relation to the practical aspects or physical facts. The same is true of the figure "number of mile hours per paper served." As a practical demonstration of the meaningless [fol. 2080] character of these purported comparisons there is cited the case of the Houghton (Mich.) Mining Gazette which in May, 1943, was transferred at its request from the Michigan day state wire of The Associated Press to the Wisconsin day state wire. On an actual leasing basis, 15,554 weekly "mile hours" of wire facilities were required to serve the Gazette on the Michigan wire while only 5,280 weekly "mile hours" were needed on the Wisconsin wire. Yet the change was made at the member's request because the newspaper received, in its judgment, a more adequate and satisfactory service on the Wisconsin wire. The practical considerations involved in facilities cannot be measured by mathematical formula.

The purported comparison of "number of mile hours per editorial employe" as cited by Mr. Toeppen is likewise meaningless. To demonstrate, The Associated Press operates one circuit a total of 129,051 weekly "mile hours" with a single editorial employe. On the other hand, another cir-

cuit is operated a total of 1,260 weekly "mile hours" and for this were needed 45 editorial employes as of December 31, 1942, and the staff has since been enlarged.

I have examined The Associated Press wire system and compared it with such data as are available to me on the United Press system. The greater extent of The Associated Press system is due solely to practical and reasonable differences between the two organizations; first, The Associated Press serves more newspapers than does the United Press; second, The Associated Press, following the principles of a mutual cooperative organization, in a considerable number of cases extends its wires to points remote from the normal routing of the circuit, thereby providing wire news service to newspapers in communities which on a strictly commercial basis would have been unable to afford the wire costs and, third, The Associated Press devotes considerably more wire space for transmission of what is known as "routine" (market quotations, [fol. 2081] sports summaries, text of speeches and documents, and the like) for the benefit of a few members and as a public service which The Associated Press as a mutual, cooperative organization renders. Any other advantages inherent in Associated Press wire facilities are those resulting from ingenuity and initiative of its employes, supported by a mutual, cooperative membership, in developing new and improved methods of news distribution.

There is no worthwhile competitive advantage in the extensive volume of copy that can be delivered during any given span of hours. Quite the contrary, and particularly in the current shortage of manpower, large volume of copy is a disadvantage more often than not because newspaper copy desks are unable to process it. The significant factor is not how much but how good.

News reported by string correspondents to associated Press bureaus is largely so reported in person or by "overhead" and not on AP leased wires. By "overhead" is meant telephone or ordinary telegram.

Frank J. Starzel.

Sworn to before me this 18th day of June, 1943.
William W. Duson, Notary Public. (Seal.)

[fol. 2082] AFFIDAVIT OF WILLIAM J. MCCAMBRIDGE

STATE OF NEW YORK,
County of New York, ss:

WILLIAM J. MCCAMBRIDGE, being duly sworn, deposes and says:

I am the vice-president and general manager of Press Association, Inc. and am in charge of its operation. I am familiar with contracts which have been made by Press Association, Inc. with radio stations in the United States. In none of such contracts is a radio station obligated to furnish news to Press Association, Inc. or to The Associated Press. Except in five small cities, Press Association, Inc. leased wires are not utilized for the transmission of news to newspaper members of The Associated Press.

William J. McCambridge.

Sworn to before me this 17th day of June, 1943.
William W. Duson, Notary Public. (Seal.)

[fol. 2083] AFFIDAVIT OF F. A. RESCH

STATE OF NEW YORK,
County of New York, ss:

F. A. RESCH, being duly sworn, says:

I am the Newsphoto Editor of The Associated Press, directly in charge of the Newsphoto service.

Attached hereto and marked Exhibit A is a true and correct copy of an agreement dated January 29, 1942, between International News Photos, Acme Newspictures, Inc., Life Magazine and The Associated Press, covering the pooling of war pictures taken by the various photographers of the four parties to the agreement in various theatres of naval operation.

Attached hereto and marked Exhibit B is a true and correct copy of a letter dated February 4, 1942 from Rear Admiral A. J. Hepburn, U. S. Navy (Ret.), to Mr. Brian Bell of The Associated Press approving the said agreement.

Attached hereto and marked Exhibit C is a true and correct copy of an agreement dated January 28, 1942, be-

tween International News Photos, Acme Newspictures, Inc., Life Magazine and The Associated Press, covering the pooling of war pictures taken by the various photographers of the four parties to the agreement in various theatres of Army operations outside continental United States, but including Alaska.

Attached hereto and marked Exhibit D is a true and correct copy of a letter dated February 9, 1942, addressed to me by Brigadier General A. D. Surles, U. S. A., Director Bureau of Public Relations, approving the said agreement on behalf of the War Department.

Attached hereto and marked Exhibit E is a true and correct copy of an amendment to the aforesaid agreements dated January 29, 1942.

[fol. 2084] To the best of my recollection, the suggestion for a wartime still picture pool emanated originally from the United States Navy Department.

F. A. Resch.

Sworn to before me this 18th day of June, 1943.
William W. Duson, Notary Public. (Seal.)

EXHIBIT A

Agreement (Navy)

Representatives of The Associated Press, International News Photos, Acme Newspictures, Inc., and Life Magazine have agreed on the following plan for the pooling of still picture coverage of various theatres of naval operation outside continental United States, but including Alaska:

(1) It was agreed that the four above-named organizations should constitute the pool;

(2) That the regular full time photographers of those organizations, already maintained on assignment as approved by the Navy, constitute the pool effective immediately;

(3) That the organizations now maintaining the fewest men on such assignments be the first to provide additional manpower as the Navy makes additional assignments available;

[fol. 2085] (4) That as soon as all organizations in the pool have an equal number of full time photographers on approved Navy assignment (namely, two men each), an order of rotation be agreed upon by lot to determine the sequence of each organizations' further assignments;

(5) That the number of photographers in each theater of naval operations shall be decided upon in each case by mutual agreement among the pool participants, in consul-ation with the Navy;

(6) That any pool participant desiring to assign one of its photographers, with the Navy's approval, to a theater of operations to which the pool as a whole has not agreed on additional manpower, may do so (not as a turn in the rota) with the understanding that such photographer's product automatically becomes pool material;

(7) That release of all pool pictures is to be on an immediate, simultaneous basis whenever the Navy makes approved pictures available, whether in the field or at the Navy Department, with the organization whose photographer has taken any given pictures to make a full set of prints or direct copy negatives available to the other pool participants, but with the approved original negatives in each case remaining the property of the organization whose photographer produced them for the pool;

(8) That each of the pool participants pay the salary and costs of assignment of each of its own representatives in the pool, with the understanding with the Navy Department that each photographer's expenses will be held to a minimum;

(9) If any other organization wishes to participate in this pool, it may do so provided it meets the accrediting standards of the Navy Department, and complies with the terms and conditions of this agreement;

[fol. 2086] (10) It is agreed by the pool participants that none of them will make promotional claims in their own interest in connection with their own representatives' performance;

(11) It is agreed and understood that all photographs showing combat action, damage or rescue work shall be forwarded by Navy authorities as rapidly as possible to the

Navy Department, Washington, D. C., for clearance, unless the Navy shall decide such pictures, in some instances, may be released elsewhere, such as San Francisco, or New York, etc.

(12) Pictorial material, in addition to those photos actually made by a photographer of a pool participant, obtained by or through such a photographer or a pool participant's correspondent or representative from any other source in the theaters of operation or concerning the same, will be subject to pooling.

(13) Whereas visiting correspondents will be entitled to "feature exclusives" under the terms of Navy Department regulations, all pictorial material of a spot news nature warranting mention in dispatches obtained by a visiting correspondent apart from those photos for which the visit was made, will be subject to general release as determined by the Navy Department. No pictures will be permitted of subject matter previously denied to members of the pool.

The present list of accredited photographs now on assignment from the above organizations, who will form the start of the pool's operation, is as follows: For Acme Newspictures, Inc., Alan Campbell and Jonathan Rice, at Honolulu; for The Associated Press, Jack Rice, at Honolulu, and Herbert White, at Panama; for International News Photos, [fol. 2087] Fred Parker, at Panama, and Robert Bryant, at Honolulu; for Life Magazine, Robert Landry, at Honolulu.

Signed at New York, January 29, 1942:

F. A. Resch, for Associated Press. E. M. Grundy, for International News Photos. Fred S. Ferguson, for Acme Newspictures, Inc. Edward K. Thompson, for Life Magazine.

Acknowledged and approved: —— ——, for the Navy Department.

EXHIBIT B

Secretary of the Navy
Office of Public Relations OOR-4
Washington

February 4, 1942.

DEAR MR. BELL:

Receipt is hereby acknowledged of the agreement between the Associated Press Photos, Acme Newspictures, International News Photos, and Life Magazine, concerning the pooling of still picture coverage in various theatres of operation by war correspondents of the above named agencies.

This agreement was signed by representatives of the four agencies in New York City, January 30, 1942. The terms will be incorporated in the directive being sent to commanding officers in the fleets for their guidance.

[fol. 2088] It is understood that you will inform the other agencies of the action being taken by this office.

Your co-operation is very much appreciated.

Very truly yours, A. J. Hepburn, Rear Admiral, U. S. Navy (Ret.).

Mr. Brian Bell, Washington Manager, Associated Press Photos, Washington, D. C.

EXHIBIT C

Agreement (Army)

Representatives of the Associated Press, Acme Newspictures, International News Photos, and Life Magazine have agreed upon the following plan for the pooling of still picture coverage of various theatres of operation outside continental United States, but including Alaska:

(1) It is agreed that the four above-named organizations should constitute the pool.

(2) That the regular full time photographers of those organizations already maintained on assignment as accredited by the War Department constitute the pool effective immediately.

(3) That the organization now maintaining the fewest men on such assignments be the first to provide additional

manpower as the War Department makes additional assignments available.

[fol. 2089] (4) That as soon as all organizations in the pool have an equal number of full time photographers on accredited War Department assignment (namely, two men each), an order of rotation be agreed upon by lot among the pool participants to determine the sequence of each organization's further assignments.

(5) That the number of photograpers in each theatre of operations shall be decided upon in each case by mutual agreement among the pool participants, in consultation with the War Department.

(6) That any pool participant desiring to assign one of its photographers may with the War Department's approval assign a man to a theatre of operation to which the pool as a whole has not agreed on additional manpower, (not as a turn in the rota) with the understanding that such photographer's product automatically becomes pool material.

(7) That distribution of all pool pictures is to be on an immediate, simultaneous basis whenever the Army releases such pictures in the field or at the War Department, with the organization whose photographer has taken any given pictures to make a full set of prints or direct copy negatives available to all other pool participants, but with the approved original negatives in each case remaining the property of the organization whose photographer produced them for the pool.

(8) That each of the pool participants pay the salary and the costs of assignment of each of its own representatives in the pool, with the understanding with the War Department that each photographer's expense will be held to a minimum.

(9) If any other organization wishes to participate in this pool, it may do so provided it meets the accrediting [fol. 2090] standards of the War Department and complies with the terms and conditions of this agreement.

(10) It is agreed by the pool participants that none of them will make promotional claims in their own interest in connection with their own representatives' performance.

(11) Pictorial material in addition to those photos actually made by a correspondent but obtained by or through a

correspondent from any other source will be subject to pooling.

(12) Whereas visiting correspondents will be entitled to "feature exclusives" under the terms of War Department regulations, all pictorial material of a spot news nature warranting mention in dispatches obtained by a visiting correspondent apart from those photos for which the visit was made, will be subject to general release as determined by the War Department. No pictures will be permitted of subject matter previously denied to members of the pool.

Signed at New York, January 28, 1942:

F. A. Resch, For Associated Press; Edward M. Gundy, For International News Photos; Fred S. Ferguson, For Acme Newspictures, Inc.; Edward K. Thompson, For Life Magazine.

Acknowledged and approved:

For the War Department.

[fol. 2091] EXHIBIT D

War Department
Bureau of Public Relations
Washington

February 9, 1942.

Mr. F. A. Resch, Associated Press Photos, 50 Rockefeller Center, New York, New York.

MY DEAR MR. RESCH:

This will acknowledge receipt of a copy of the joint agreement on war correspondents for pictorial purposes, signed at New York on January 28, 1942 by representatives of the following companies:

Associated Press
Acme Newspictures Inc.
International News Photos
Life Magazine

Representing the War Department in this matter, I hereby approve the above mentioned agreement this date.

Very truly yours, A. D. Surles, Brigadier General, U. S. A., Director, Bureau of Public Relations.

[fol. 2092] EXHIBIT E

Pool Amendment

It is agreed by the army and navy pool participants that all pictures relating to naval and/or military action, rescues at sea, or any other pictures of a military or naval nature and having to do with the purpose of this pool, originating at any of the specified theatres of action, which may be bought or obtained by any pool participant from any outside or free lance source, shall become pool pictures for simultaneous release on the same basis as pictures from the pool staff itself. It is further agreed that advice of any such purchase on which an amount over $100 is involved be relayed to New York as quickly as possible for joint consideration and decision by the pool participants. It is agreed that the purchase price of such pictures so obtained is to be shared equally by the pool participants.

New York, January 29, 1941 should be 1942.

F. A. Resch, For Associated Press; E. M. Gundy, For International News Photos; Fred S. Ferguson, For Acme Newspictures, Inc.; Edward K. Thompson, For Life Magazine.

[fol. 2093] AFFIDAVIT OF WILLIAM W. DUSON

STATE OF NEW YORK,
County of New York, ss:

WILLIAM W. DUSON, being duly sworn, says:

I was born in Crowley, Louisiana, on April 9, 1896. I am a graduate of the Georgia School of Technology, Atlanta, Georgia, with a degree of Bachelor of Science in Electrical Engineering.

My first association with a newspaper was with the Crowley (La.) Daily Signal and I served with that paper for a period of 10 years ending January 1, 1930, in the capacities of publisher and editor.

In November 1930, I became associated with The Associated Press, and from that time through March 1, 1934, I was one of the editors of the Feature Service, continuing after that date in a position which combined editorial and business duties.

Early in 1941, I left the employ of The Associated Press and became associated with Press Association, Inc.

I have made a comparative story by story check of Associated Press member newspapers and nonmember newspapers in 15 of the principal cities of the United States to determine whether or not the nonmember newspapers received from their news agencies and published the main news stories of the day supplied to and published by Associated Press member newspapers in the same cities.

My study was made of the final editions of the newspapers in each city except in Fort Worth, Texas, where the home edition was studied.

Included among the newspapers studied was the Camden (N. J.) Courier, a nonmember newspaper published in the City of Camden, New Jersey, directly across the river from Philadelphia.

[fol. 2094] The newspapers studied and the cities in which they were published are as follows:

Pittsburgh (Pa.) Sun-Telegraph
Pittsburgh (Pa.) Press

Washington (D. C.) Evening Star
Washington (D. C.) Times Herald

Philadelphia (Pa.) Evening Bulletin
Philadelphia (Pa.) Daily News
Camden (N. J.) Evening Courier

Erie (Pa.) Dispatch-Herald
Erie (Pa.) Daily Times

Cincinnati (Ohio) Times-Star
Cincinnati (Ohio) Press

Columbus (Ohio) Evening Dispatch
Columbus (Ohio) Citizen

St. Louis (Mo.) Post-Dispatch
St. Louis (Mo.) Star-Times

Detroit (Mich.) News
Detroit (Mich.) Times

Birmingham (Ala.) News
Birmingham (Ala.) Post

Houston (Tex.) Chronicle
Houston (Tex.) Press

Fort Worth (Tex.) Star-Telegram
Fort Worth (Tex.) Press

Tacoma (Wash.) News Tribune
Tacoma (Wash.) Times

Los Angeles (Cal.) Herald Express
Los Angeles (Cal.) Daily News

San Francisco (Cal.) Call Bulletin
San Francisco (Cal.) News

[fol. 2095] Before proceeding with the study and comparison of the news stories published in these papers, I picked out what to me, as a newspaper man, seemed to be 18 of the most important news stories of the day. The stories chosen were as follows:

Coal miners denied pay rise and ordered to resume negotiations.

ODT slashes all deliveries in the east to save gas and tires.

WPB cuts frills on women's clothes.

Americans continue advance on Attu Island.

Japs butcher Chinese in retaliation for harboring Doolittle raiders.

Floods cause damage in midwest.

U. S. planes hammer Sardinia.

Jack Dempsey-Hannah Williams divorce trial.

Akron rubber strike.

Churchill-Roosevelt conference continues in Washington.

OPA storm center over policy and resignation disputes.

Hot Springs food parley.

Germans admit success of campaign against U-boats.

Mrs. Randle sentenced for "vilest names" slaying.

42-48 sailors die in torpedoing.

Roosevelt reports on lend-lease aid to Russia.

American planes bomb Japanese-held Rabaul in New Guinea.

Japanese advance below Ichang in China.

[fol. 2096] Attached hereto and marked Exhibit A is a schedule showing separately for each story the newspapers in each city which published the story. The schedule also indicates in the case of each newspaper the name of the news agency given credit for the story published.

My study and comparison showed that the stories carried by Associated Press newspapers were also carried (in its own version, of course) by the United Press Associations service.

Attached hereto and marked Exhibit B is a compilation which I prepared from information contained in Editor & Publisher International Year Books, and from information contained in Ayer & Son's Directory of Newspapers and Periodicals, showing the circulation of daily newspapers in 11 principal cities of the United States for the years 1938-1942, both inclusive, the news service subscribed to during each year by such papers, and the date each newspaper was founded.

Attached hereto and marked Exhibit C is a compilation which I prepared from information contained in the January 9, 1943, and January 16, 1943, issues of Editor & Publisher showing the daily newspapers in the United States which suspended publication during the year 1942, together with the news service taken by each paper. The facts as to which of such papers were members of The Associated Press were obtained from the records of the Associated Press. The information with respect to other news services was obtained from Editor & Publisher International Year Books.

William W. Duson.

Sworn to before me this 21 day of June, 1943.
Michael F. Moran, Notary Public. (Seal.)

[fol. 2097] EXHIBIT A

The following stories were used by the newspapers below (source of story indicated in parenthesis):

Story—Coal Miners Denied Pay Rise and Ordered to Resume Negotiations

Member Newspaper	*Nonmember Competing Paper*
Pittsburgh Sun Telegraph (AP)	Pittsburgh Press (UP)
Washington Evening Star (AP)	Washington Times Herald (local)
Philadelphia Bulletin (AP)	
Cleveland News (AP)	Cleveland Press (UP)
Cincinnati Times-Star (AP)	Cincinnati Post (UP)
St. Louis Post Dispatch (AP)	St. Louis Star Times (UP)
Birmingham News (AP)	Birmingham Post (UP)
Houston Chronicle (AP)	Houston Press (UP)
Tacoma News Tribune (AP)	Tacoma Times (no credit)
Los Angeles Herald Express (AP)	Los Angeles News (UP)
San Francisco Call Bulletin (INS)	San Francisco News (UP)

Story—ODT Slashes All Deliveries in the East to Save Gas and Tires

Member Newspaper	*Nonmember Competing Paper*
Pittsburgh Sun Telegraph (INS)	Pittsburgh Press (UP)
Washington Evening Star (local)	Washington Times Herald (local)
	Philadelphia News (UP)
Philadelphia Bulletin (AP)	Camden Courier (INS)
Erie Dispatch Herald (AP)	Erie Times (INS)
Cleveland News (AP)	Cleveland Press (UP)
Cincinnati Times Star (AP)	Cincinnati Post (UP)
Columbus Dispatch (AP)	Columbus Citizen (UP)
St. Louis Post Dispatch (AP)	St. Louis Star Times (UP)
Detroit News (AP)	Detroit Times (UP)
Birmingham News (AP)	Birmingham Post (UP)
	Houston Press (UP)
Fort Worth Star Telegram (AP)	Fort Worth Press (UP)
Tacoma News Tribune (AP)	
	San Francisco News (UP)

Story—WPB Cuts Frills on Women's Clothes

Member Newspaper	*Nonmember Competing Paper*
Pittsburgh Sun Telegraph (INS)	Pittsburgh Press (UP)
Washington Evening Star (AP)	Washington Times Herald (local)

[fol. 2098]

Member Newspaper	*Nonmember Competing Paper*
Philadelphia Bulletin (AP)	Camden Courier (UP)
	Erie Times (UP)
Columbus Dispatch (AP)	Columbus Citizen (UP)
	Cincinnati Post (UP)
St. Louis Post Dispatch (AP)	St. Louis Star Times (UP)
Detroit News (AP)	Detroit Times (UP)
Birmingham News (AP)	Birmingham Post (UP)
Houston Chronicle (AP)	Houston Press (UP)
Fort Worth Star Telegram (AP)	Fort Worth Press (UP)
Tacoma News Tribune (AP)	Tacoma Times (no credit)
Los Angeles Herald Express (UP)	Los Angeles News (UP)
San Francisco Call Bulletin (INS)	San Francisco News (UP)

Story—Americans Continue Advance on Attu Island

Exhibit A—Continued

Member Newspaper	*Nonmember Competing Paper*
Pittsburgh Sun Telegraph (INS)	Pittsburgh Press (UP)
Washington Evening Star (AP)	Washington Times Herald (local)
Philadelphia Bulletin (AP)	Philadelphia News (UP) Camden Courier (INS)
Erie Dispatch Herald (AP)	Erie Times (INS)
Cleveland News (AP)	Cleveland Press (UP)
Columbus Dispatch (AP)	Columbus Citizen (UP)
Cincinnati Times Star (AP)	Cincinnati Post (UP)
St. Louis Post Dispatch (AP)	St. Louis Star Times (UP)
Birmingham News (AP)	
	Detroit Times (INS)
Houston Chronicle (AP)	Houston Press (UP)
Fort Worth Star Telegram (AP)	Fort Worth Press (UP)
Tacoma News Tribune (AP)	Tacoma Times (no credit)
Los Angeles Herald Express (INS)	Los Angeles News (UP)
San Francisco Call Bulletin (INS)	San Francisco News (UP)

Story—Japs Butcher Chinese After Doolittle Raid on Tokyo

Member Newspaper	*Nonmember Competing Paper*
Pittsburgh Sun Telegraph (INS)	Pittsburgh Press (UP)
Washington Evening Star (AP)	Washington Times Herald (UP)
	Philadelphia News (UP)
Columbus Dispatch (AP)	Columbus Citizen (UP)
St. Louis Post Dispatch (local)	St. Louis Star Times (local)
	Birmingham Post (UP)
Houston Chronicle (AP)	Houston Press (UP)
Fort Worth Star Telegram (AP)	Fort Worth Press (UP)
	Los Angeles News (UP)
	San Francisco News (UP)

[fol. 2099]

Story—Floods Cause Damage in Midwest

Member Newspaper	*Nonmember Competing Paper*
Pittsburgh Sun Telegraph (INS)	Pittsburgh Press (UP)
Washington Evening Star (AP)	Washington Times Herald (UP)
	Camden Courier (UP) Philadelphia News (UP)
Erie Dispatch Herald (AP)	Erie Times (UP)
Cleveland News (AP)	Cleveland Press (UP)
Columbus Dispatch (AP)	Columbus Citizen (UP)
Cincinnati Times Star (AP)	Cincinnati Post (UP)
St. Louis Post Dispatch (local)	St. Louis Star Times (local)
Detroit News (AP)	Detroit Times (UP)
Birmingham News (AP)	Birmingham Post (UP)
Houston Chronicle (AP)	Houston Press (UP)
Fort Worth Star Telegram (AP)	Fort Worth Press (UP)
Tacoma News Tribune (AP)	
Los Angeles Herald Express (AP) (INS)	Los Angeles News (UP)

Story—Planes Hammer Sardinia

Member Newspaper	*Nonmember Competing Paper*
Pittsburgh Sun Telegraph (AP)	Pittsburgh Press (UP)
Washington Evening Star (AP)	Washington Times Herald (UP)
Philadelphia Bulletin (AP)	Philadelphia News (UP) Camden Courier (INS)
Erie Dispatch Herald (AP)	Erie Times (INS)
Cleveland News (AP)	Cleveland Press (UP)
Columbus Dispatch (AP)	Columbus Citizen (UP)

EXHIBIT A—Continued

Member Newspaper	*Nonmember Competing Paper*
Cincinnati Times Star (AP)	Cincinnati Post (UP)
St. Louis Post Dispatch (AP)	St. Louis Star Times (UP)
Detroit News (AP)	Detroit Times (INS)
Birmingham News (AP)	Birmingham Post (UP)
Houston Chronicle (AP)	Houston Press (UP)
Fort Worth Star Telegram (AP)	Fort Worth Press (UP)
Tacoma News Tribune (no credit)	Tacoma Times (no credit)
Los Angeles Herald Express (AP)	Los Angeles News (UP)
San Francisco Call-Bulletin (INS)	San Francisco News (UP)

Story—Jack Dempsey-Hannah Williams Divorce Trial

Member Newspaper	*Nonmember Competing Paper*
Pittsburgh Sun Telegraph (AP)	Pittsburgh Press (UP)
Washington Evening Star (AP)	Washington Times Herald (UP)
Philadelphia Bulletin (AP)	Philadelphia News (UP)
	Camden Courier (UP)
Erie Dispatch Herald (AP)	Erie Times (INS)

[fol. 2100]

Member Newspaper	*Nonmember Competing Paper*
Cleveland News (no credit)	Cleveland Press (UP)
	Columbus Citizen (UP)
Cincinnati Times Star (AP)	Cincinnati Post (UP)
St. Louis Post Dispatch (AP)	St. Louis Star Times (UP)
Detroit News (AP)	Detroit Times (UP)
Birmingham News (AP)	Birmingham Post (UP)
Fort Worth Star Telegram (INS)	Fort Worth Press (UP)
Tacoma News Tribune (AP)	Tacoma Times (no credit)
Los Angeles Herald Express (AP)	Los Angeles News (UP)
San Francisco Call Bulletin (AP)	San Francisco News (UP)

Story—Akron Rubber Strike

Member Newspaper	*Nonmember Competing Paper*
Pittsburgh Sun Telegraph (AP)	Pittsburgh Press (UP)
Washington Evening Star (AP)	Washington Times Herald (UP)
Philadelphia Evening Bulletin (AP)	Philadelphia News (no credit)
	Camden Courier (INS)
Erie Dispatch Herald (AP)	Erie Times (UP)
Cleveland News (AP)	Cleveland Press (Special)
Columbus Dispatch (AP)	Columbus Citizen (UP)
Cincinnati Times Star (AP)	Cincinnati Post (UP)
St. Louis Post Dispatch (AP)	St. Louis Star Times (UP)
Detroit News (AP)	Detroit Times (UP)
Birmingham News (AP)	Birmingham Post (UP)
Houston Chronicle (AP)	Houston Press (UP)
Fort Worth Star Telegram (AP)	Fort Worth Press (UP)
Tacoma News Tribune (AP)	Tacoma Times (no credit)
Los Angeles Herald Express (AP)	Los Angeles News (UP)
San Francisco Call Bulletin (AP)	San Francisco News (UP)

Story—Churchill-Roosevelt Conference Continues in Washington

Member Newspaper	*Nonmember Competing Paper*
Washington Evening Star (local)	Washington Times Herald (local)
	Pittsburgh Press (UP)
Philadelphia Bulletin (AP)	Camden Courier (INS)
Cleveland News (INS)	Cleveland Press (UP)
	Cincinnati Post (UP)

Exhibit A—Continued

Member Newspaper	*Nonmember Competing Paper*
St. Louis Post Dispatch (AP)	St. Louis Star Times (UP)
Fort Worth Star Telegram (INS)	
Los Angeles Herald Express (UP & AP)	Los Angeles News (UP)
San Francisco Call Bulletin (no credit)	San Francisco News (UP)

[fol. 2101]

Story—OPA Storm Center Over Policy and Resignation Disputes

Member Newspaper	*Nonmember Competing Paper*
Cleveland News (AP)	Cleveland Press (UP)
Columbus Dispatch (AP)	
Cincinnati Times Star (AP)	Cincinnati Post (UP)
St. Louis Post Dispatch (AP)	St. Louis Star Times (UP)
Detroit News (AP)	
Birmingham News (AP)	
Houston Chronicle (AP)	Houston Press (UP)
Fort Worth Star Telegram (AP)	
Los Angeles Herald Express (UP)	Los Angeles News (UP)
San Francisco Call Bulletin (INS)	

Story—Hot Springs Food Parley

Member Newspaper	*Nonmember Competing Paper*
Pittsburgh Sun Telegraph (INS)	Pittsburgh Press (UP)
Washington Evening Star (AP)	Washington Times Herald (N. Y. News)
Philadelphia Bulletin (AP)	
Erie Dispatch Herald (AP)	
Cleveland News (AP)	Cleveland Press (UP)
Columbus Dispatch (AP)	
Cincinnati Times Star (AP)	Cincinnati Post (UP)
St. Louis Post Dispatch (AP)	St. Louis Star Times (INS)
Detroit News (AP)	Detroit Times (INS)
Birmingham News (AP)	Birmingham Post (UP)
	Fort Worth Press (UP)
	Houston Press (UP)
Tacoma News Tribune (AP)	Tacoma Times (no credit)
Los Angeles Herald Express (UP)	Los Angeles News (UP)
San Francisco Call Bulletin (INS)	San Francisco News (UP)

Story—Germans Admit Success of Campaign Against U-Boats

Member Newspaper	*Nonmember Competing Paper*
	Pittsburgh Press (UP)
	Washington Times Herald (UP)
	Camden Courier (UP)
	Cleveland Press (UP)
	Cincinnati Post (UP)
	St. Louis Star Times (UP)
Detroit News (UP)	Detroit Times (UP)
	Birmingham Post (UP)
	Los Angeles News (UP)
	San Francisco News (UP)

EXHIBIT A—Continued

[fol. 2102]

Story—Mrs. Randle sentenced for "vilest names" slaying

Member Newspaper	*Nonmember Competing Paper*
Washington Evening Star (AP)	Washington Times Herald (special)
Philadelphia Bulletin (AP)	Camden Courier (UP)
	Philadelphia News (no credit)
Erie Dispatch Herald (AP)	
Cleveland News (AP)	
Birmingham News (AP)	Birmingham Post (UP)
Houston Chronicle (AP)	
Tacoma News Tribune (AP)	
San Francisco Call Bulletin (AP)	

Story—42-48 Sailors Die in Torpedoing

Member Newspaper	*Nonmember Competing Paper*
Washington Evening Star (AP)	
	Camden Courier (UP)
	Columbus Citizen (UP)
	St. Louis Star Times (UP)
Detroit News (UP)	
	Birmingham Post (UP)
	Houston Press (UP)
	Fort Worth Press (UP)

Story—Roosevelt Reports on Lend-Lease Aid to Russia

Member Newspaper	*Nonmember Competing Paper*
	Erie Times (UP)
Philadelphia Bulletin (AP)	
Los Angeles Herald Express (AP)	Los Angeles News (UP)
San Francisco Call Bulletin (INS)	

Story—American Planes Bomb Japanese-held Rabaul in New Guinea

Member Newspaper	*Nonmember Competing Paper*
Pittsburgh Sun Telegraph (AP)	Pittsburgh Press (UP)
Washington Evening Star (AP)	Washington Times Herald (UP)
	Camden Courier (UP)
	Columbus Citizen (UP)
Cincinnati Times Star (AP)	Cincinnati Post (UP)
St. Louis Post Dispatch (AP)	St. Louis Star Times (UP)
Detroit News (AP)	Detroit Times (INS)
	Birmingham Post (UP)
	Houston Press (UP)

[fol. 2103]

Member Newspaper	*Nonmember Competing Paper*
Fort Worth Star Telegram (AP)	Fort Worth Press (UP)
	Tacoma Times (no credit)
	Los Angeles News (UP)
San Francisco Call Bulletin (INS)	San Francisco News (UP)

Story—Japanese Advance in China Below Ichang

Member Newspaper	*Nonmember Competing Paper*
Pittsburgh Sun Telegraph (AP)	Pittsburgh Press (UP)
Washington Evening Star (AP)	Washington Times Herald (UP)
	Camden Courier (UP)
	Philadelphia News (UP)

EXHIBIT A—Continued

Member Newspaper	*Nonmember Competing Paper*
Erie Dispatch Herald (AP)	
Cleveland News (AP)	Columbus Citizen (UP)
Cincinnati Times Star (AP)	Cincinnati Post (UP)
St. Louis Post Dispatch (AP)	St. Louis Star Times (UP)
Detroit News (AP)	Birmingham Post (UP)
Houston Chronicle (AP)	Houston Press (UP)
Fort Worth Star Telegram (AP)	Fort Worth Press (UP)
San Francisco Call Bulletin (AP)	San Francisco News (UP)

[fol. 2104] EXHIBIT B

CIRCULATION OF DAILY NEWSPAPERS IN 11 PRINCIPAL CITIES OF THE UNITED STATES FOR THE YEARS 1938–1942, BOTH INCLUSIVE, TOGETHER WITH NEWS SERVICE SUBSCRIBED TO DURING EACH YEAR AND THE DATE EACH PAPER WAS FOUNDED

(Compiled from Editor & Publisher International Year Books and Ayer & Sons Directory of Newspapers and Periodicals.)

New York City Including only the regular daily newspapers in the boroughs of Manhattan and Brooklyn and excluding dailies such as the Bronx Home News, the Long Island City and Jamaica dailies—which are suburban and local in character.

	1938	1939	1940	1941	1942
Times (AM)	493,024	474,277	477,385	455,825	440,086
1851	(AP)	(AP, UP)	(AP, UP)	(AP, UP)	(AP, UP)
Journal & American (PM)	611,174	609,407	612,976	604,497	618,694
1896	(INS, AP*)	(INS, AP*)	(INS, UP, AP*)	(INS, UP, AP)	(INS, UP, AP)
Herald-Tribune (AM)	350,128	346,783	356,512	330,139	310,447
1841	(AP, UP)	(AP, UP)	(AP, UP)	(AP, UP)	(AP, UP)
Mirror (AM)	741,399	768,376	768,946	777,281	804,684
1924	(AP, UP, INS)	(AP, UP, INS)	(AP, UP, INS)	(AP, UP, INS)	(AP, UP, INS)
News (AM)	1,783,341	1,880,370	1,948,759	2,007,797	2,013,200
1919	(AP, UP)	(AP, UP)	(AP, UP)	(AP, UP)	(AP, UP)
Post (PM)	252,145	235,625	226,829	208,918	219,363
1801	(AP, UP)	(AP, UP)	(AP, UP)	(AP, UP)	(AP)
Sun (PM)	291,410	295,807	312,112	289,105	276,805
1833	(AP, UP)	(AP)	(AP)	(AP)	(AP)
World-Telegram (PM)	414,759	412,586	434,603	395,201	377,806
1867	(UP, AP)	(UP, AP)	(UP, AP)	(UP, AP)	(UP, AP)

* Associated Press membership for Sunday only. Evening membership acquired on March 8, 1941.

[fol. 2105]

	1938	1939	1940	1941	1942
Citizen (PM) (Bklyn)	30,388	31,951	30,527	30,426	30,446
1886	(UP)	(UP)	(UP)	(UP)	(UP)
Eagle (PM) (Bklyn)	101,616	95,644	93,244	97,601	97,265
1841	(AP, UP)	(AP, UP)	(AP, UP)	(UP)	(UP)
"PM" (PM)	.....	.....	122,353	89,578	150,104
1940			(UP)	(UP)	(UP)
Washington, D. C.					
Herald (AM)	116,711	Effective with years as listed in total line hereunder Times and Herald shown as daily paper publishing on 24-hour basis. Totals below:			
1906	(INS, UP)				
Times (PM)	104,915				
1894	(INS, UP)				
Total Times & Herald Circ.	221,626	187,090	193,612	209,105	220,233
	(INS, UP)	(INS, UP)	(INS, UP)	(INS, UP)	(INS, UP)
Post (AM)	108,754	126,708	132,089	142,182	157,764
1877	(AP, UP)	(AP, UP)	(AP, UP, INS)	(AP, UP, INS)	(AP, INS)
Star (PM)	133,366	144,762	151,469	162,104	177,461
1852	(AP)	(AP)	(AP)	(AP)	(AP)
News (PM)	70,542	81,593	85,501	85,046	97,148
1921	(UP)	(UP)	(UP)	(UP)	(UP)
Houston, Texas					
Post (AM)	86,023	91,575	102,709	102,793	104,639
1885	(AP, UP)	(AP, UP)	(AP, UP)	(AP, UP)	(AP, UP)
Chronfele (PM)	97,243	105,918	117,082	118,941	121,561
1901	(AP, INS)	(AP, INS)	(AP, INS)	(AP, INS)	(AP, UP, INS)

[fol. 2106]

Houston, Texas—(Continued)	1938	1939	1940	1941	1942
Press (PM)	58,541	60,841	62,187	71,063	73,605
1912	(UP)	(UP)	(UP)	(UP)	(UP)
Birmingham, Ala.					
Age-Herald (AM)	37,869	38,033	41,075	45,801	49,965
1871	(AP)	(AP)	(AP)	(AP)	(AP)
News (PM)	87,771	91,532	99,490	109,680	131,083
1888	(AP)	(AP)	(AP)	(AP)	(AP)
Post (PM)	68,278	68,898	74,131	75,280	68,338
1921	(UP)	(UP)	(UP)	(UP)	(UP)
Cleveland, Ohio					
News (PM)	121,285	125,953	122,094	123,832	116,196
1879	(AP)	(AP, INS)	(AP, INS)	(AP, INS)	(AP, INS)
Plain Dealer (AM)	214,292	223,091	227,657	233,640	223,616
1842	(AP, UP, INS)	(AP, UP, INS)	(AP, UP, INS)	(AP, UP, INS)	(AP, UP, INS)
Press (PM)	214,405	224,967	227,908	241,109	247,829
1878	(UP)	(UP)	(UP)	(UP)	(UP)
Pittsburgh, Pa.					
Post-Gazette (AM)	223,314	219,428	235,839	234,202	233,650
1786	(AP, UP)	(AP, UP)	(AP, UP)	(AP, UP)	(AP, UP)
Press (PM)	197,541	206,473	223,081	228,818	240,411
1884	(UP)	(UP)	(UP)	(UP)	(UP)
Sun-Telegraph (PM)	154,553	158,219	163,650	163,289	175,226
1927	(AP, INS)	(AP, INS)	(AP, INS)	(AP, INS)	(AP, INS)

[fol. 2107]

	1938	1939	1940	1941	1942
Cincinnati, Ohio					
Enquirer (AM)	114,332	122,005	122,672	127,329	131,017
1841	(AP, UP, INS)	(AP, UP, INS)	(AP, UP, INS)	(AP, UP, INS)	(AP, UP, INS)
Post (PM)	148,700	148,456	151,220	150,730	154,956
1881	(UP)	(UP)	(UP)	(UP)	(UP)
Times-Star (PM)	153,313	153,240	154,037	152,215	156,382
1840	(AP, INS)	(AP, INS)	(AP, INS)	(AP, INS)	(AP, INS)
Los Angeles, Calif.					
News (AM)	98,455	97,606	The listing for these years shows The News as a "round the clock" paper with circulations below:		
Evening News (PM)	93,832	100,651			
News Totals	192,287	198,257	202,187	216,740	220,661
	(UP)	(UP)	(UP)	(UP)	(UP)
Examiner (AM)	202,909	209,217	220,195	221,555	235,530
1903	(AP, INS)	(AP, INS)	(AP, INS)	(AP, INS)	(AP, INS)
Herald & Express (PM)	241,796	242,138	252,753	243,924	265,087
1911	(AP, UP)	(AP, UP, INS)	(AP, UP, INS)	(AP, UP, INS)	(AP, UP, INS)
Times (AM)	214,330	214,340	215,137	219,890	235,487
	(AP, UP)	(AP, UP)	(AP, UP)	(AP, UP)	(AP, UP)
Columbus, Ohio					
Citizen (PM)	80,342	88,456	95,881	73,338	71,026
1909	(UP)	(UP)	(UP)	(UP)	(UP)
Dispatch (PM)	160,097	162,891	150,695	153,085	139,713
1871	(AP, INS)	(AP, INS)	(AP, INS)	(AP, INS)	(AP, INS)

[fol. 2108]

Columbus, Ohio—(Continued)	1938	1939	1940	1941	1942
State Journal (AM)	50,800	56,165	58,875	59,197	58,570
1811	(AP, INS)	(AP, INS)	(AP, INS)	(AP)	(AP)
Detroit, Mich.					
Free Press (AM)	270,412	296,047	322,683	329,682	356,836
1831	(AP, UP)	(AP, UP)	(AP, UP)	(AP, UP)	(AP, UP)
News (PM)	308,183	322,284	340,022	363,014	381,971
1873	(AP, UP)	(AP, UP)	(AP, UP)	(AP, UP)	(AP, UP)
Times (PM)	285,527	295,387	324,354	319,885	347,407
1920	(INS)	(INS)	(INS)	(INS, UP)	(INS, UP)
Indianapolis, Ind.					
News (PM)	150,535	155,710	158,636	162,515	153,120
1869	(AP, UP)	(AP, UP)	(AP, UP)	(AP, UP)	(AP, UP)
Star (AM)	119,980	125,570	130,071	132,615	130,904
1903	(AP, UP)	(AP, UP)	(AP, UP)	(AP, UP)	(AP, UP)
Times (PM)	85,178	87,413	89,575	92,251	88,796
1888	(UP)	(UP)	(UP)	(UP)	(UP)

[fol. 2109] EXHIBIT C

AP MEMBER DAILIES DISCONTINUED DURING 1942*

New Bedford, Mass., Mercury
Trenton, N. J., State Gazette
Casper, Wyo., Times
Lander, Wyo., Evening Post
Tallahassee, Fla., State News
Klamath Falls, Ore., News
Marshall, Minn., Messenger
Lodi, Calif., Times
Poughkeepsie, N. Y., Eagle News
Aberdeen, S. D., Morning American-News
Mexico, Mo., News & Intelligencer
Bristow, Okla., Daily Record
Vineland, N. J., Evening Journal
Philadelphia, Pa., Eve. Public Ledger
Mt. Clemens, Mich., Daily Monitor
Pine Bluff, Ark., Graphic
Colton, Calif., Courier
Pocatello, Idaho, State Journal
Eufala, Ala., Tribune
Redding, Calif., Morning Searchlight

* Editor & Publisher lists the Twin Falls, Idaho, News as having also discontinued. According to the records of the AP this member paper did not discontinue publication.

NON-AP DAILIES DISCONTINUED DURING 1942

Kansas City, Mo., Journal	(UP, INS)
Dallas, Tex., Journal	(UP)
Austin, Tex., Tribune	(INS)
Boise, Idaho, Capital News	(UP)
Prescott, Ark., Daily News	(No Service Listed)
Bakersfield, Calif., Kern Herald	" " "
Placerville, Cal., Republican	" " "
Bedford, Ind., Mail	(UP)
Brigham, Utah, News Journal	(UP)
Eugene, Ore., Daily News	(INS)
Milwaukee, Wis., Post	(UP)
Redfield, S. D., Journal & Tribune	(UP)
Drumright, Okla., Derrick	(UP)
Columbus, Ind., Herald	(None)
Wynne, Ark., Star-Progress	(UP)
Salinas, Calif., Morning Post	(UP)
Atlanta, Ga., Post	(No Service Listed)
Milledgeville, Ga., Times	(UP)
Sebring, Fla., American	
Ft. Lauderdale, Fla., Times	(UP)
Yoakum, Tex., Daily Herald	
McAllen, Tex., Press	(UP)
Mangum, Okla., Star	(UP)
Sulphur, Okla., News	(UP)
Plattsburg, N. Y., Republican	(UP)
Bowling Green, Ky., Times-Journal	(INS)
Claremore, Okla., Daily Progress	(UP)

[fol. 2110]

Claremore, Okla., Daily Messenger	(None)
Center, Tex., News	(UP)
Cripple Creek, Col., Times Record	(None)
Hot Springs, Ark., Post	(INS)
Hastings, Neb., Spotlight	(Trans-Rad)
Berlin, Wis., Journal	(UP)
Columbus, Kan., Advocate	
DeQueen, Ark., Citizen	(UP)
Roseville, Calif., Press	(UP)
*Martins Ferry, Ohio, Times	(UP, INS)
*Bellaire, Ohio, Leader	(UP)

EXHIBIT C—Continued

NON-AP DAILIES DISCONTINUED DURING 1942 (*Continued*)

Abilene, Kan., Chronicle	(UP)
Fort Scott, Kan., Herald	(UP)
Commerce, Tex., Journal	(UP)
Eastland, Tex., Telegram	(UP)
Hayward, Colo. Review	
Carthage, Mo., Democrat	(UP)
Newkirk, Okla., Daily Reporter	(None)
Caldwell, Kan., Messenger & News	(None)

* These papers merged, one being discontinued.

[fol. 2111] AFFIDAVIT OF J. D. GORTATOWSKY

STATE OF NEW YORK,
County of New York, ss:

J. D. Gortatowsky, being duly sworn, deposes and says:

I am the general manager of the Hearst Newspapers, including the New York Journal American, New York Daily Mirror, Detroit Times and Oakland Post-Enquirer.

I started in the newspaper business in 1904 as a reporter, and have been continuously in the newspaper business since that time. My experience embraces that of reporter, city editor and managing editor of various daily and Sunday newspapers. In 1916 I joined King Features Syndicate, Inc., remaining with that organization for a period of approximately nineteen years. The greater part of that time I was the business manager of King Features Syndicate, Inc., of which International News Service is a Department. During the last four years, I have been general manager of the Hearst Newspapers, and for four years prior to that time I was the assistant general manager of the Hearst Newspapers. I have worked on newspapers which have had the services of The Associated Press or the International News Service or the United Press, or various combinations of two or three of these Services, and I have managed and/or directed such newspapers. I worked on and helped in the management and direction of a News Service which competed with that of The Associated Press.

The New York Journal American is now published as an evening and Sunday newspaper in the City of New York. In 1937, the New York Journal, an evening newspaper, and the New York American, a morning and Sunday newspaper, were merged into the New York Journal American. Both papers had been published since 1900. The New York American was an original member of The Associated Press [fol. 2112] beginning in 1900. The New York Journal was never a member of The Associated Press, its news services being International News Service and United Press. In 1937, at the time of the merger, publication of the American as a morning newspaper was discontinued and at that time the merged paper, the Journal American, was published daily without Associated Press membership and

Sunday with Associated Press membership. In 1941, the Journal American acquired a daily membership in The Associated Press.

For many years before the merger of the two papers in 1937, the circulation of the New York Journal was the largest of the evening newspapers published in the United States. Its circulation in the evening field in the city of New York is hundreds of thousands in excess of its nearest competitor.

The ABC figures of the daily circulation of the New York Journal for the five-year period preceding the acquisition in 1941 of a weekly membership in The Associated Press are as follows:

1936	620,902
1937	632,480
1938	611,174
1939	609,407
1940	612,976

The New York Daily Mirror is a morning and Sunday newspaper established in 1924. It did not acquire an Associated Press daily membership until 1937. It did not acquire a Sunday Associated Press membership until 1941. Before those dates, the only general news services used by the Mirror were the International News Service and United Press.

The ABC figures of the circulation of the Mirror, daily and Sunday, for the years 1932-1942, inclusive, were as follows:

[fol. 2113],

	Daily Mirror	*Sunday Mirror*
1932	577,121	593,799
1933	534,808	729,969
1934	552,127	1,055,529
1935	563,718	1,222,625
1936	603,621	1,340,911
1937	656,561	1,441,018
1938	725,378	1,438,163
1939	752,949	1,471,674
1940	754,732	1,473,514
1941	758,381	1,484,202
1942	786,968	1,619,432

The Detroit Times is an evening and Sunday newspaper established in 1920. It is not now and never has been a member of The Associated Press. Since its establishment, the news services used by it have been International News Service and latterly United Press.

Oakland Post-Enquirer, an evening newspaper published in the City of Oakland, California, was established in 1886. It has never been a member of The Associated Press. Its general news services have always been those of International News Service and United Press.

By reason of my experience in the newspaper business over a period of thirty-nine years in many cities of the United States and in many different sections of the country, I am able to state that it is the fact that a successful newspaper can be published in the United States without access to the news services of a particular news agency.

The history of Hearst newspapers throughout the country demonstrates that newspapers can be and have been published with outstanding success as to circulation, advertising lineage and profit both with the use of the news reports of International News Service alone and with the use of the news reports of one or more news agencies other than The Associated Press.

Specifically, the history of Hearst Newspapers demonstrates that newspapers without membership in The Asso- [fol. 2114] ciated Press have been and can be published with success.

The coverage of local, Washington and other domestic news, and foreign news, provided by the news services of International News Service during the period when this was the only general news service used in the City of New York by the New York Journal was amply sufficient to enable the Journal, in competition with such Associated Press papers as the Evening World, the Sun, and, later, the World-Telegram, to maintain its lead in circulation and volume of advertising over all other evening newspapers in the City of New York. The coverage of the news services of International News Service and United Press provided to the Daily Mirror was likewise amply sufficient to enable it to compete with the other morning newspapers in New York and to attain the second largest morning circulation in that City.

In the cases of both the Detroit Times and the Oakland Post-Enquirer, neither of which has ever been a member of The Associated Press, the coverage of local, Washington, and other domestic news, and foreign news, provided by International News Service and United Press has been amply sufficient to enable each of those papers to compete with The Associated Press papers in the same field. This has been particularly true in the case of the Detroit Times, the circulation of which is almost equal to that of the Detroit News, an evening Associated Press paper in that city. The Sunday circulation of The Detroit Times, without Associated Press, is the largest in that city. Both of its competitors in the Sunday morning field do have Associated Press.

J. D. Gortatowsky.

Subscribed and sworn to before me this 22nd day of June, 1943. Genevieve M. Monahan, Notary Public. (Seal.)

[fol. 2115] AFFIDAVIT OF CARL D. GROAT

STATE OF OHIO,
County of Hamilton, ss.:

Carl D. Groat, being first duly sworn, deposes and says:

I am the editor of the Cincinnati Post, a daily newspaper publication, publishing six days per week as an afternoon newspaper in the City of Cincinnati, Ohio. There are also in Cincinnati, Ohio, The Cincinnati Times-Star, a daily newspaper, likewise, publishing six days per week as an afternoon newspaper and The Cincinnati Enquirer which is published as a daily morning newspaper seven days per week.

The following facts are true as I verily believe:

From 1913 to 1933 I was employed by the United Press Associations. I was its Washington manager, its Berlin manager and its News Director. In 1933 I served briefly as editor of The Youngstown Ohio Telegram and since that time as editor of The Cincinnati Post.

According to the reports of the Audit Bureau of Circulations the average net paid circulations of the three daily newspapers, exclusive of Sunday editions in Cincinnati for

the years 1938 to 1942 inclusive stated as of March 31 annually are as follows:

	Post	*Times-Star*	*Enquirer Daily*
1938	163,351	166,000	118,709
1939	149,835	153,237	112,671
1940	148,481	153,279	119,699
1941	152,053	154,471	121,625
1942	153,364	155,096	127,302

According to Media Records the annual advertising linage of The Post, The Times-Star and The Daily En-
[fol. 2116] quirer, exclusive of advertising in any Sunday editions, for the years 1938 to 1942 inclusive are as follows:

	Post	*Times-Star*	*Enquirer Daily*
1938	6,896,201	9,621,124	4,759,913
1939	7,464,899	9,860,955	4,932,673
1940	8,073,959	10,076,420	5,098,084
1941	9,000,686	10,165,195	5,682,609
1942	8,198,900	9,070,988	5,755,971

The Cincinnati Post has used the services of The United Press Associations for at least twenty-five years. I have found its news report adequate, timely and complete for our purposes. Likewise, I have found Acme and NEA Services timely and complete with respect to pictures.

The feature services of United Features Syndicate and NEA, likewise, are completely satisfactory.

Carl D. Groat.

Sworn to before me and subscribed in my presence this 15th day of June, 1943. Robt. B. Hyde, Notary Public. (Seal.)

[fol. 2117] AFFIDAVIT OF E. T. LEECH

STATE OF PENNSYLVANIA,
County of Allegheny, ss.:

E. T. Leech, being duly sworn, deposes and says:

I am the editor of The Pittsburgh Press, hereinafter referred to as The Press. I have been editor of The Press for twelve years. Prior to assuming this position I served

as editor of The Denver Rocky Mountain News from 1926 to 1931; editor of The Birmingham Post from 1921 to 1926; editor of The Memphis Press from 1917 to 1921; editor of The Denver Express from 1916 to 1917; prior to which time I was an editorial employee of The Denver Express. My newspaper experience started in 1912.

The following facts are true as I verily believe:

There are in Pittsburgh three daily newspapers, The Press, The Sun Telegraph and The Post Gazette. The Press and The Sun Telegraph publish daily newspapers known as afternoon newspapers; they also publish Sunday editions. The Post Gazette publishes six morning editions a week, omitting Sunday.

According to the reports of The Audit Bureau of Circulations of the three daily newspapers, exclusive of Sunday editions in Pittsburgh for the years 1938 to 1942 inclusive stated as of March 31 annually are as follows:

	Press	*Sun-Telegraph*	*Post-Gazette*
1938	206,178	163,590	216,491
1939	201,637	156,615	219,402
1940	214,268	159,507	221,166
1941	228,713	165,146	233,665
1942	235,935	170,928	236,164

According to our records the annual advertising linage of the three daily newspapers in Pittsburgh exclusive of [fol. 2118] advertising in any Sunday editions for the years 1937 to 1942 inclusive are as follows:

	Press	*Sun-Telegraph*	*Post-Gazette*
1937	1,087,580	805,884	533,183
1938	857,895	589,133	456,022
1939	869,978	588,712	455,387
1940	893,858	607,922	483,513
1941	929,386	639,662	495,706
1942	873,070	616,562	490,012

In connection with the operation of The Pittsburgh Press, I have found the United Press news service adequate, timely and complete with respect to its coverage of state, international or national news for the purposes of The Press. We have used the United Press since 1913. The picture serv-

ices of Acme Newspictures and NEA Service including telephoto have likewise for the purposes of The Press been adequate, timely and complete.

We are supplied with what is in my opinion complete and adequate feature services for our paper in the feature services received from NEA and United Feature Syndicate.

E. T. Leech.

Sworn to before me and subscribed in my presence this 19th day of June, 1943. Louise Leachman, Notary Public. (Seal.)

[fol. 2119] AFFIDAVIT OF LOUIS B. SELTZER

STATE OF OHIO,
County of Cuyahoga, ss.:

LOUIS B. SELTZER, being first duly sworn, deposes and says:

I am the editor of The Cleveland Press, hereinafter referred to as The Press. I have served in this capacity for approximately fifteen years and have for many years prior thereto been employed in the editorial branch of the newspaper business.

The following facts are true as I verily believe:

There are in Cleveland, Ohio three daily newspapers The Press, The News and The Plain Dealer. The Press and The News publish daily papers, known as afternoon papers six days per week omitting Sunday. The Plain Dealer publishes a morning newspaper each day of the week including Sunday.

According to the reports of the Audit Bureau of Circulations the average net paid circulations of the three daily newspapers, exclusive of Sunday editions in Cleveland for the years 1938 to 1942 inclusive stated as of March 31, annually are as follows:

	Press	*News*	*Plain Dealer Daily*
1938	217,853	121,519	208,029
1939	221,547	120,759	208,623
1940	228,784	122,795	217,980
1941	237,754	120,465	221,743
1942	254,734	128,011	236,698

According to Media Records the annual advertising lineage of the three daily papers in Cleveland, exclusive of any [fol. 2120] advertising in any Sunday editions for the years 1937 to 1942 inclusive are as follows:

	Press	*News*	*Plain Dealer Daily*
1937	13,908,000	8,475,000	8,408,000
1938	10,986,000	6,663,000	7,085,000
1939	11,595,000	6,627,000	7,525,000
1940	12,090,000	7,226,000	7,755,000
1941	12,611,000	7,078,000	8,174,000
1942	11,809,000	6,459,000	7,969,000

In connection with the operation of The Cleveland Press I have found the United Press news service adequate, timely and complete for the purposes of The Press.

The United Press is in my opinion at all times adequate and in times of economical, political and social unbalance has exhibited a superior comprehension in its coverage and its far-sightedness to anticipate eventual crises in affairs.

Essentially the same things which have been stated with respect to the United Press apply similarly to the picture services and feature services of Acme, NEA and United Features Syndicate.

Louis B. Seltzer.

Sworn to before me and subscribed in my presence this 14th day of June, 1943. H. B. Pugsley, Notary Public. (Seal.)

[fol. 2121] AFFIDAVIT OF ROSCOE ALCORN

STATE OF WYOMING,
County of Carbon, ss.:

Roscoe H. Alcorn, being duly sworn, says:

First: I am the editor of the Rawlins Republican-Bulletin, a daily newspaper of Rawlins, Wyoming, established in 1888. I have been connected with the Republican-Bulletin since the year 1913, and in my present capacity since the year 1913, excepting for years 1929-1935 when I was Wyoming State Auditor and my brother was editor.

Second: The Republican-Bulletin became a member of the Associated Press in 1933. In 1937, the Republican-Bulletin gave up its Associated Press membership and began to take the United Press Service, and has taken it, exclusively, ever since. The circulation of the Republican-Bulletin is 2,962, and the population of Rawlins is about 6,200. The experience of the Republican-Bulletin is that the Associated Press is not necessary to the successful publication of a daily newspaper in such a place as Rawlins is.

Third: My experience as a newspaper man began in the year 1913, and commencing at that time and until now I have been editor and principal owner of the Republican-Bulletin excepting for years 1929 to 1935 when I served as Wyoming State Auditor.

I know about the United Press Service and I know about the Associated Press Service.

Fourth: The United Press Service is a comprehensive service, giving news reports of the United States in general, and also local news reports in the different localities, including Wyoming local news, and also reports from all over the world. Without saying that the service of the United Press is superior to that of the Associated Press, or even that it is in all respects equal to it, it is a fact that the United Press reports are sufficient to enable a daily news- [fol. 2122] paper to carry on its business successfully. Some prefer the Associated Press, but it is not a fact that the Associated Press Service is necessary to success in publishing a daily newspaper.

Fifth: The following facts known to me also show that a daily newspaper is able to carry on its business successfully without receiving the Associated Press news reports, namely: Since receiving the United Press service our subscriptions have increased from approximately 1,000 to 2,962. I know that our subscribers are well pleased with the news service we are giving to them.

Roscoe H. Alcorn.

Sworn to before me this 11 day of June, 1943. B. Alcorn, Notary Public. (Seal.)

[fol. 2123] AFFIDAVIT OF NORMAN R. BAKER

STATE OF NEW YORK,
County of Rockland, ss.:

Norman R. Baker, being duly sworn, says:

First: I am the editor of The Journal-News, a daily paper published in Nyack, New York, established in 1889 and since 1927 extending its news coverage to all of Rockland County. The Journal-News receives the International News Service news service. At one time the Journal-News received the United Press Service but that connection was severed about the year 1932. The Journal-News is not a member of the Associated Press.

The circulation of The Journal-News averages more than 6,500 daily under Audit Bureau of Circulation figures. The population of Nyack proper is about 5,200 but the newspaper circulates extensively throughout Rockland County, an area of 174 square miles with a population of more than 74,000 and including more than a score of average small hamlets and villages.

Second: The International News Service is a complete news service, supplying reports of foreign news, of domestic news of the country and state, and local news. It has served and continues to serve the purposes of the Journal-News adequately and satisfactorily. I of course know about the service of the United Press and the service of the Associated Press.

Third: My experience in the newspaper business dates back to the year 1928 and I have worked in every editorial capacity since that time. I was a news reporter for a number of years, working with the people in the small towns who were daily Journal-News readers; for several years I was sports editor, again in close contact with readers of whom I wrote daily; in 1939 I became acting editor and in 1941 editor.

[fol. 2124] Fourth: The management of the Journal-News has never thought it important for the newspaper to seek a membership in the Associated Press. We do not believe that such a membership would add anything to the publication which would greatly increase its merit or its success in other ways, and we certainly do not believe that

the Associated Press Service is necessary to a daily newspaper either in Nyack or elsewhere. In the country there are two complete news services besides the Associated Press Service, namely, that of the International News Service, and that of the United Press.

Fifth: The following facts, in addition to what has been said above, appear to me to show that it would be a mistake to think that membership in the Associated Press is necessary to a daily newspaper, namely:

1. The Journal-News, like many other small newspapers which are published close to a large metropolitan area like New York City (Rockland County in its entirety is little more than an hour's drive from New York), depends largely upon local news for reader interest and a great deal of space must be devoted to that news. Foreign and domestic news must be subordinated and those readers who want more complete information have easy and prompt access to metropolitan newspapers, many of them Associated Press members.

2. International News Service has given us since 1932 a comprehensive coverage of important news of the day, completely sufficient to our needs. Should we desire extra coverage on any particular story it is easily available from International News Service.

3. There has never been, to my knowledge, any wish expressed by any of our readers or non-readers that we become an Associated Press member. I cannot recall an in-[fols. 2125-2126] stance of a subscription cancelled because of inadequate coverage on foreign or domestic news.

4. I have heard comments from readers that Journal-News digests of war news as supplied to us by International News Service has been more concise and, although condensed, as complete as any that are found in larger metropolitan newspapers.

Norman R. Baker.

Sworn to before me this 11th day of June, 1943. Gertrude E. Gross, Notary Public. [Seal.]

[fols. 2127-2130] AFFIDAVIT OF W. B. CHILSEN

STATE OF WISCONSIN,
LINCOLN COUNTY, ss:.

W. B. Chilsen, being duly sworn, says:

First: The Merrill Herald of Merrill, Wisconsin, a daily newspaper having a circulation of something over 4,400 in a city of 9,000 people, was established in the year 1908. I am the president of the company which produces it, the Merrill Publishing Co., Inc., and I am the publisher of the paper. I have been in the newspaper business since the year 1900, and have been publishing the Merrill Herald since 1920.

Second: The Herald became a member of the Associated Press in 1927. In the Autumn of 1932 I moved to retire from the Associated Press, and the Herald has used the United Press report from that time on, to the exclusion of other news reports. The United Press service is a complete news service of both the domestic news of the United States and the local news, and the foreign news from all parts of the world, and the service which it renders has been a sufficient and adequate service.

Third: As I have stated above, my newspaper experience extends back to the year 1900. I am familiar with the service of the Associated Press and with the service of the United Press. I also know that the International News Service provides a complete news coverage, but I am not equally familiar with that service.

Fourth: The experience of the Merrill Herald shows that the Associated Press service is not necessary to the successful existence of a daily newspaper. A newspaper is not vitally affected by receiving one complete news service covering the whole field, rather than another. The vital factors in success or not, relate to the management and conduct of the paper, and not to what news service is re- [fol. 2131] ceived. I do not mean that one service may not be better than another; but neither the service of the Associated Press nor that of the United Press is necessary to full success.

Fifth: I also call attention to the following additional facts known to me as showing that there is no necessity for

a daily newspaper to receive the Associated Press report rather than the United Press report, in order to make a good success, namely: that from 1914 to 1927, the Merrill Daily Herald availed itself of the services of the United Press reports; that from 1927 to 1932, it availed itself of the services of the Associated Press reports and that subsequent to such time, the undersigned, as publisher, felt that the news of the United Press would be more sprightly presented to the readers of the Merrill Daily Herald and accordingly has continued to operate his newspaper with the said United Press reports to the satisfaction of all of its readers, as he verily believes.

W. B. Chilsen.

Subscribed and sworn to before me this 14th day of June, 1943. Lillian S. Martens, Notary Public. [Seal.]

[fol. 2132] AFFIDAVIT OF LAWRENCE A. CLARK.

STATE OF ILLINOIS,
Livingston County, ss:

Lawrence A. Clark, being first duly sworn, says:

First. That I am now, and have been for 26 years last past, the business manager of The Pontiac Daily Leader, a daily newspaper established in the year 1896 in Pontiac, Livingston County, Illinois, and regularly published thereafter about 3:30 o'clock P. M., on all days, except Sundays and holidays, to and including the present time.

That I am now, and have been for 26 years last past, Secretary and Treasurer of The Pontiac Leader Publishing Company, a corporation organized on November 12, 1902, and now existing, under and pursuant to the laws of the State of Illinois, which said corporation acquired the ownership of said daily newspaper on November 12, 1902, and has regularly printed and published said paper, as above set forth, continuously since November 12, 1902.

That the City of Pontiac, according to the 1940 United States census, has a net "free" population of 7,045 (which does not include the population of the Pontiac Branch of the Illinois State Prison, located in the fourth ward of said City, which contains from 2,000 to 3,000 inmates numbered

as part of the "official" population of said City in said 1940 census); and that the average daily net paid circulation of The Pontiac Daily Leader for the month of May, 1943, was 4,554 copies, of which 2,004 copies were delivered to paid subscribers, or sold at the regular established rate, within the corporate limits of said City of Pontiac.

Second. That The Pontiac Daily Leader relies on the United Press news service to the exclusion of The Associated Press and other news gathering agencies; that the character of the Associated Press and the quality of its services are well known to me, and, from my knowledge, I am of the opinion that The Associated Press, as a cooperative newsgathering agency, is an organization whose work [fol. 2133] and influence is beneficent and desirable; that, in my opinion, any serious injury to, or interference with, its free operation would greatly abridge the freedom of the press because the gathering of accurate up-to-the-minute news over the nation and the world, and the presenting of such news to the public day after day, would be seriously disrupted; that the free competition presently existing between the three large news services, namely, The Associated Press, The United Press and The International News Service, in my opinion, compels each of said services to use great care and skill to be accurate and prompt in gathering, writing and distributing domestic, national and world news; that I have a high regard for the Associated Press service, but the United Press service has been, and is now, fully adequate for the purposes of The Pontiac Daily Leader, and it is not necessary that The Pontiac Daily Leader be a member of The Associated Press for it, The Pontiac Daily Leader, to secure all the latest domestic, national and world news, and promptly furnish such news to the subscribers and readers of such paper through its columns; and that, in my opinion, it is, in no way, necessary that any particular newspaper be a member of The Associated Press to secure and publish the latest accurate domestic, national and world news.

Third. That the service given by the United Press is most complete; including, in addition to national and world news, a local service which embraces news of particular interest to persons in the locality in which the paper taking said United Press service is located; that, in my opinion, people are interested primarily in "What is the News?",

not in "Who writes the News?"; that The Pontiac Daily Leader has for many years given, and is now giving, its subscribers and readers complete prompt reports of local news, domestic news, national news and world news; that, by reason of the said competition existing between the said three major news gathering services, the United Press not infrequently furnishes accurate news in advance of the time [fol. 2134] that it is released by The Associated Press and, at all times, maintains most excellent service; and that, in my opinion, the United Press service is complete and adequate, and fully supplies all the needs of any daily newspaper published in the United States for all news any of said three services purport to furnish.

Fourth. That facts which are known to me personally, in my opinion, further show that the publication of a successful daily newspaper does not require membership in The Associated Press. Such facts are as follows:

1. The Pontiac Daily Leader has been successful from a financial and a circulation standpoint at all times since the publication of its first edition on September 14, 1896; that in the first few years of its existence, national and world news was furnished to said newspaper in plate form by the Western Newspaper Union, a Chicago corporation; that for several years thereafter, said newspaper contracted with United Press for what was called a "Pony News Service" the telephoning of news by the United Press to said newspaper; and that not until November, 1928, was full leased wire United Press service installed by The Pontiac Daily Leader.

2. The Pontiac Daily Leader has been invited to become one of the associated member newspapers of The Associated Press, but the management of said The Pontiac Daily Leader declined the invitation because the United Press service was adequate, good, accurate and dependable.

3. The Pontiac Daily Leader has never, to affiant's knowledge, had a complaint from any of its readers because news furnished by the United Press, or news which would be furnished by either of the other said services, was inadequately, inaccurately or tardily published.

[fol. 2135] 4. Pontiac is located about 92 miles southwest of Chicago, about 20 miles southeast of Streator, about 35 miles northeast of Bloomington and about 60 miles east of Peoria. All are much larger cities than Pontiac, and connect with Pontiac by good rail, bus and mail service. Several good popular newspapers are published in these cities and are promptly and freely circulated in Pontiac by mail, carrier boy and news-stands, and, naturally, they offer competition to The Pontiac Daily Leader. Nevertheless, The Pontiac Daily Leader's paid circulation in the City of Pontiac during May, 1943, was 2,004 copies, although there are but 1816 dwellings in said City and all said circulation is by carrier boys or sale at said paper's office and one news-stand. That paid circulation exceeds the number of dwellings in the City of Pontiac, which situation has existed for several years last past, is attributed, by this affiant, to the fact that two or more papers go to certain dwellings in which rooms are taken.

5. The population of Livingston County has shown a minor decline during the past two decades, but the circulation of The Pontiac Daily Leader over the County has shown a steady increase during the last twenty years and its gross revenues have more than doubled since 1916.

Further affiant sayeth not.

Dated this 17th day of June, 1943.

Lawrence A. Clark.

Subscribed and sworn to by the said Lawrence A. Clark, before me, a Notary Public, this 17th day of June, 1943. Anna M. Holmes, Notary Public. (Seal.)

[fol. 2136] AFFIDAVIT OF ARTHUR L. FAGAN

STATE OF NEW JERSEY,
County of Hudson, ss:

Arthur L. Fagan, being duly sworn, says:

I am the editor and co-owner of the Hoboken (N. J.) Jersey Observer, a newspaper published in the City of Hoboken, New Jersey, every evening except Sunday.

The Hoboken Jersey Observer was established over 51 years ago by my father. I became connected with the paper 22 years ago.

I was born in Hoboken and was graduated from Princeton University in 1921. Since that time—22 years—I have been editor of the Jersey Observer and actively directed its news policy.

I have been informed by the attorneys for The Associated Press that the plaintiff in this case contends that the news service rendered by The Associated Press is so vastly superior to that rendered by other news gathering agencies in the United States, such as the United Press Associations and International News Service, that a newspaper which is not a member of The Associated Press "is deprived of freedom in determining the character of its publication and freedom in determining those elements of the newspaper-reading public to which it will particularly address its appeal."

In my experience and in my judgment based upon such experience, this contention cannot be supported.

The Hoboken Jersey Observer competes in the area of Jersey City, Bayonne, Hoboken, Union City, West New York, Weehawken, North Bergen, Guttenberg, and Secaucus with all New York dailies and with the Jersey City Jersey Journal, a member of The Associated Press. It has never been a member of The Associated Press.

The Hoboken Jersey Observer subscribes to the leased wire service of the United Press Associations and International News Service. We have used the service of the United Press Associations for over 30 years and that of [fol. 2137] International News Service since 1923. We also subscribe to the picture service of International News Photos.

In my judgment, The Associated Press service is a great news service, but, in my opinion, it is not the only news service upon which a newspaper can be successfully published.

The choice of a news service rests upon the personal judgment of the individual newspaper editors and owners. In my experience, the general reading public is not interested in the name of the particular news service which a newspaper uses. The desire of newspaper readers is for accurate, well-written, and complete news. In my opinion,

any one of the three large services—The Associated Press, International News Service, United Press Associations—adequately fills such a demand.

I have found that the reports of the United Press Associations and that of International News Service are more interesting and better written than the reports of The Associated Press. I feel that United Press Associations reporting is not only just as accurate, complete, and unbiased as The Associated Press, but has more reader appeal. I base that statement upon my studies of the two services for many years. In connection with the publication of our paper, I continually have occasion to compare The Associated Press news reports appearing in our competitor, the Jersey Journal, and the news reports which we receive from United Press Associations and International News Service.

In my years of association with the Hoboken Jersey Observer, I have never considered that we have been at any competitive disadvantage in connection with local, domestic, or foreign news.

It is my experience that the success of a newspaper depends, first, upon the caliber of its management and its editors, and, second, upon the handling of its local news. I might add a third element—that of the features and comics employed.

[fol. 2138] The Hoboken Jersey Observer is not merely a local newspaper. Situated as we are, so near to New York, we must give considerable attention to the general domestic news and to news of world events.

We publish on our front page, on the average, two columns of general domestic news, two columns of world news, and four columns of local news. This is the usual average, which I have found most large metropolitan dailies employ.

The Hoboken Jersey Observer subscribes to many of the features and comics of King Features Syndicate, Inc.; we also subscribe to many well-known independent features. We frequently run a whole page of news pictures which we receive from International News Photos. In my judgment, the pictures which we reproduce in our paper are more interesting and of as high a photographic quality as those reproduced by the Jersey Journal, which depends upon The Associated Press. So far as features and comics are concerned, employing as we do well-known features and comics,

we have, in my opinion, a distinct competitive advantage over the Jersey Journal.

The Hoboken Jersey Observer maintains a staff of correspondents gathering our local news throughout the state just as the Jersey Journal maintains its staff of correspondents and just as, in my opinion, any newspaper must, whether or not it has The Associated Press, the service of United Press Associations, the service of International News Service or any other press service, for, in my opinion, the local news is the life blood of any newspaper and the local news can be obtained only by the newspaper's own staff. No newspaper, to my knowledge, relies and depends upon any press service for its local news. Press services are relied upon by newspapers to furnish general domestic news and news of world events and, in my opinion, the services of United Press Associations, The Associated Press, or International News Service duplicate one another in furnishing such news.

[fol. 2139] It has been my experience that our stories of state news written by our own correspondents located throughout the state are more interesting because they are written expressly for our paper and for our readers. Local state stories of Associated Press origin used by the Jersey Journal are not so well adapted for reader interest since they are written not only to serve the readers of the Jersey Journal but also for all other members of The Associated Press.

In my judgment, a newspaper's success depends largely on its presentation of its local news. Regardless of whether a newspaper subscribes to The Associated Press service or any of the other press services, it must have a staff of its own correspondents gathering its local news. So far as we are concerned, we feel that we have a fine staff of local correspondents covering our New Jersey news. I would be reluctant to furnish this local news to any press association for distribution to my competitors. I feel that the local news which we produce and publish is one of our greatest assets. Its exclusiveness with us, to my way of thinking, is essential to our success.

Jersey City and Hoboken are contiguous municipalities in the Metropolitan area of New York.

Jersey City has a population, according to the last census, of 301,173. Hoboken has a population, according to the last census, of 50,115.

The Jersey Journal is published in Jersey City. Its average net paid circulation for 1942 was 42,895. This represents sales of approximatley 14 per cent to population. The Jersey Journal uses The Associated Press exclusively.

The Jersey Observer is published in Hoboken. Its average net paid circulation for 1942 was 39,816. This represents sales of over 79 per cent to population. The Jersey Observer uses the United Press, and International News [fol. 2140] Service. It is not, and has never been, a member of The Associated Press.

Arthur L. Fagan.

Sworn to before me this 14th day of June, 1943.
James A. Borthwick, Notary Public. (Seal.)

[fol. 2141] AFFIDAVIT OF M. G. FITZPATRICK

STATE OF NEW YORK,
County of Cattaraugus, ss:

M. G. Fitzpatrick, being duly sworn, deposes and says:

1. That the Olean Times-Herald of Olean, New York, is a daily newspaper with a history going back to 1860. It results from a merger of the Olean Times and the Olean Herald in 1932. I have been connected with the Times-Herald since the merger of January 1, 1932. It has a circulation of 11,815 (Audit Bureau of Circulations), and the population of Olean is about 21,500.

2. Before the merger mentioned above, the Olean Times took the United Press service while the Olean Herald was an Associated Press member. At the time of the merger, and ever since, the United Press service alone was retained.

3. I first entered the newspaper field by purchasing the Olean Times on February 20, 1911, and since that time I have been in this business continuously as President and Publisher of the Olean Times Publishing Company, publishers of Olean Times, and after the merger I continued as President and Publisher of Olean Times-Herald Corporation, publishers of Olean Times-Herald. As part of my newspaper business it has been necessary that I keep in touch with the world of journalism and so I am familiar with other newspapers and sources of news, and I am well-acquainted

with the United Press service, the Associated Press service, and the International New service. For a number of years the Olean Times had International News service in addition to United Press service.

4. The Olean Times-Herald has used the United Press service ever since the merger and prior to that time its predecessor, Olean Times, had full United Press service since about 1916. This service has been, and still is, satisfactory. It is a complete news service, providing the needs [fol. 2142] of a daily newspaper fully. It reaches and reports the news of all parts of the world through its foreign connections and correspondents, and it gives adequately all the domestic news of the United States and it gives good local service, such as a local newspapers' readers are peculiarly interested in. Neither the Olean Times-Herald nor the Olean Times was a member of the Associated Press. When the Olean Times and the Olean Herald were consolidated we had the choice of whose service. Our decision was to continue the United Press service which is still the only news service we have. We did not then, nor do we now, feel that the Associated Press service is necessary for the production of a successful newspaper.

5. That the service of the Associated Press is not necessary to a daily newspaper is shown by the history of our newspaper. At the time that I purchased the Olean Times in 1911, its circulation was less than 1500. Since that time circulation has expanded so that the circulation of the present Olean Times-Herald is nearly 12,000 and this has been without the service of the Associated Press.

M. G. Fitzpatrick.

Sworn to before me this 11th day of June, 1943. Earl N. Hornburg, Notary Public. (Seal.)

[fol. 2143] AFFIDAVIT OF HARRY GOODWIN

STATE OF NEW YORK,
County of Bronx, ss:

Harry Goodwin, being duly sworn, says:

First. I am the editor of the Home News, published by the Bronx Home News Publishing Co., Inc., of 373 East 148th Street, New York City. This newspaper is a daily

newspaper circulating principally in The Bronx, and it has a daily circulation of 130,000. The Home News has no Associated Press membership, and does not receive the news reports of the Associated Press, but depends wholly on the news reports of the United Press.

Second, I have been connected with the Home News since *1920*. I first became a newspaper man in the year *1920*, and between that time and the present time I have occupied the following positions with the following publications, namely:

Circulation Inspector, Bronx Home News
Reporter, Harlem Home News
City Editor, Bronx Home News
Managing Editor, The Home News

I of course am familiar with the news service furnished by the United Press. I also am famliar with the news service of the Associated Press, and to a considerable extent with that of the International News Service. I have to be familiar with what is going on in the newspaper world, and with what newspapers other than mine are doing, and therefore have to have knowledge of these things.

Third. It is not necessary for a newspaper situated as the Home News is, to have the Associated Press report rather than the United Press report. The United Press report, like the Associated Press report, and also like the International News Service, furnishes a complete news coverage, giving good service of local news such as particu- [fol. 2144] larly interests the readers of the locality of publication, and giving a complete report of the domestic news of the United States, and a complete report of the foreign news from all over the world. The United Press maintains particularly complete and effective foreign connections and maintains its own foreign correspondents. Whether or not this service is in all respects equal to the service of the Associated Press, it is certain that the United Press service covers the ground fully.

Fourth: It is my opinion that the service of the Associated Press is not necessary to the success of a daily newspaper. The primary factors which determine success are matters other than which of the three major news services the publication receives. From my knowledge of the business of publishing newspapers I know that good success can

be achieved and maintained with the news service of the United Press exclusively. The following additional facts known to me lead me to the conclusion stated above, that the United Press report adequately serves the needs of a daily newspaper, namely:

The Home News has depended exclusively upon United Press for many years for its non-local news coverage and feels that it never has missed prompt coverage of an important news item.

Harry Goodwin.

Sworn to before me this 18th day of June, 1943. Edward Bergemann, Notary Public. (Seal.)

[fol. 2145] AFFIDAVIT OF ALFRED G. HILL

COMMONWEALTH OF PENNSYLVANIA,
County of Delaware, ss:

Alfred G. Hill, being duly sworn, says:

First: I am the publisher and partner of the Chester Times Publishing Company of Chester, Pennsylvania, operating a daily newspaper established in 1876. It has a circulation in excess of 29,000. The federal population of Chester in 1940 was 60,000. I assumed direction of the Chester Times in 1942 after it had been suspended because of a strike, and after a survey showed that the nearby Philadelphia papers had encroached heavily in the Chester Times territory.

Second: The Chester Times receives the news service of the United Press and also that of the International News Service, but it receives no Associated Press Service, and has not done so in my time, or, as I believe, at any previous time. The newspaper was put to a severe test in resuming publication after ten months' suspension. However, in the adverse conditions and in the face of exceptional efforts of nearby newspapers to hold circulation, the Chester Times now has a circulation of 4,000 in excess of the previous high mark. My prior newspaper experience has been primarily with newspapers which were Associated Press members. My experience here through the Chester Times has been a crowning demonstration at first hand of

what can be accomplished with the service of the United Press.

This is substantiated by my experience with the United Press in two other states, namely: in 1937 I purchased the Wyoming State Tribune, an Associated Press newspaper and a long established newspaper at Cheyenne, having as my competitor the Wyoming Eagle, a morning newspaper. The Tribune depended on the Associated Press exclusively; the Eagle (a relatively new newspaper) on the United Press. So great was the prestige and, I may say, the potency of the Eagle in the Cheyenne field that within [fol. 2146] six months I agreed to the merger of the two newspapers on an equal basis although evening newspapers, normally are considered to have the advantage, particularly in that area.

At Reno, Nevada, in 1939 I became part owner and manager of the Nevada State Journal, a morning newspaper, depending exclusively upon the United Press, and discovered that in this state all of the daily newspapers outside of Reno at that time were served by the United Press. The advantage of this to our newspaper was manifest. During the period of my managership we made pleasing progress which culminated in our carrying out a commitment to sell the paper to Merritt C. Speidel, who also purchased the evening newspaper in Reno. It is my understanding that under the single management and with the Associated Press of course available, the Nevada State Journal has continued to use the United Press exclusively.

Third: My experience in newspaper business commenced in 1908, and has included the following: High School reporter for William Allen White's Emporia Gazette (AP); Topeka Daily Capital (AP), reporter; Philadelphia Public Ledger (AP), reporter; Washington Bureau United Press, correspondent; Arkansas City, Kansas Traveler (AP), advertising manager and assistant publisher; Fort Collins, Colorado Express Courier—(AP) publisher; Jamestown, N. Y. Jamestown Evening Journal—(AP) general manager; Jamestown Post-Journal, general manager (in which capacity I purchased the United Press in addition to AP in order to give readers what I considered adequate service for that community). I am now the controlling partner of the Fremont, Nebraska Guide and Tribune, an Associated Press member newspaper.

Fourth: My experience leads me to the conclusion that whether a daily newspaper receives one good and complete, accurate news service or another, is not a matter vitally affecting success. I believe that the factors of success re- [fol. 2147] side in the conduct of the management, and to some extent in the character of the locality, and that the success of a newspaper enterprise is not seriously affected, certainly not vitally affected, by having one news service instead of another. Besides the Associated Press and the United Press, there is the International News Service which my paper takes, also a full and highly developed news service.

Fifth: The United Press gives a complete news service covering all the news. It maintains contacts all over the world for the gathering of news and gives a full report of foreign news of everywhere, besides giving a full report of the domestic news of the United States, and the local news of the locality of publication, such as peculiarly interest a newspaper's local readers. My experience and belief are, and I am sure it is a fact, that it is not true to say that it is necessary for a daily newspaper in order to have a good success, to be a member of the Associated Press.

Alfred G. Hill.

Sworn to before me this 11th day of June, 1943.
E. A. O'Connor, Notary Public. (Seal.)

[fol. 2148] AFFIDAVIT OF FREDERICK H. KEEFE

STATE OF NEW YORK,
County of Orange, ss:

Frederick H. Keefe, being duly sworn, deposes and says:

I reside in Newburgh, New York, and am the publisher of the Newburgh (New York) News and the Beacon (New York) News. I have been the publisher of the Newburgh News since 1925 and of the Beacon News since 1929.

Both of these papers have used the United Press and use it today. The United Press provides full, adequate and complete news coverage. Neither of these papers has ever had the Associated Press. Both are successful papers

and are popular in their communities. Associated Press membership has been available for these papers at any time I care to make application. In fact, we have been urged repeatedly by a representative of the Associated Press to substitute its service for that of the United Press.

I am so satisfied with the service I have received from the United Press, and with the completeness of its service, that I see no reason to change to the Associated Press, and prefer to continue with the United Press.

Frederick H. Keefe.

Sworn to before me this 11 day of June, 1943. Hubert V. Nocton, Notary Public. (Seal.)

[fol. 2149] AFFIDAVIT OF O. M. KINNISON

STATE OF INDIANA,
County of Elkhart, ss:

O. M. Kinnison, being duly sworn, says:

First: I am the president and publisher of The News-Democrat of Goshen, Indiana, a daily newspaper established in the year 1837. It has a circulation of between 5,700 and 5,800 in a population of about 12,500. I have been connected with this paper since 1901.

Second: In and prior to June 1933, there was one paper in Goshen called the News-Times, and another, the Daily Democrat. The Daily Democrat was an Associated Press member, and the News Times took the United Service. The News-Times acquired the Daily Democrat in June 1933. The consolidated paper used a small amount of Associated Press service for a time, but definitely severed relations with the Associated Press in 1941 voluntarily. The publication relies on the United Press service exclusively, and has done so for twenty years by preference.

Third: My experience in the newspaper business goes back to the year 1906. During the time between then and now, I have worked in the following capacities and in the following connections, namely:

Reporter, Editor, Managing Editor.

I am familiar with the service given by the United Press, and also with that given by the Associated Press. I am

aware also that there is a third highly developed news service available to newspapers in this county, called the International News Service.

Fourth: I have been responsible for the policy of The News-Democrat, in preferring United Press service to Associated Press service upon the whole and in all circumstances. It is my opinion, as is shown by my conduct, that a daily newspaper is able to succeed very well using [fol. 2150] the United Press service. United Press provides a complete news service covering all the news. It receives its reports from points in all parts of the world, and supplies an adequate and complete service of foreign news. Its service of domestic news is likewise complete, and it provides the local news which appeals to the local readers. It is certainly not true that the service of the Associated Press is necessary to a daily newspaper.

Fifth: Some people undoubtedly prefer the service of the Associated Press to that of the United Press. That is a very different thing from saying that the service of the Associated Press is necessary even in their opinions. I am quite sure that a daily newspaper which succeeds with the Associated Press service, would succeed equally well with the United Press service, and no doubt the reverse also is true. Any difference between these services is not such as to be a primary element in the success, or not of any newspaper publishing enterprise.

Sixth: I set forth the following additional facts which are known to me, showing that membership in the Associated Press is not necessary at all to the success of a daily newspaper when it can have one of the other news services, such as the United Press, namely:

The fact that there were three daily papers in Goshen at one time and the paper using the United Press exclusively is now the only one left, would indicate our readers are fully satisfied with United Press.

O. M. Kinnison.

Sworn to before me this 14th day of June, 1943, Bella Weinstein, Notary Public. (Seal.)

[fol. 2151] AFFIDAVIT OF CHARLES E. KOONS

STATE OF NEW YORK,
County of Orange, ss:

Charles E. Koons, being duly sworn, says:

First: The Middletown Times Herald is a daily newspaper established in 1851, having a circulation of something over 7,000. The population of Middletown is about 22,000. The Middletown Times Herald takes the service of the United Press and takes no Associated Press service.

Second: The Middletown Times Herald is the result of a merger of the Times Press and the Herald, which took place at the end of the year 1926. The Times Press was a member of the Associated Press, while the Herald had been receiving the United Press service. After the merger the Associated Press service was discontinued, in January 1927. Since then the Times Herald has frequently been asked to join the Associated Press.

Third: I have been the Publisher and General Manager of the Times Herald since the merger of the Times Press and Herald at the end of 1926. I know the service of the Associated Press and I know the service of the United Press. I know that the third great news service of the country is that of the International News Service.

Fourth: In view of what I have said above, it is evident, and it is a fact, that the Middletown Times Herald does not find membership in the Associated Press necessary for the successful publication of a newspaper. If it did, it would seek that membership, and it could have that membership if it wished. As is stated above, it has been asked to become a member. The service of the United Press is adequate. It is a complete news service, covering the world. Its foreign news is complete and the service efficient, it covers completely the domestic news of the United States, and provides a good and efficient report of local news such [fol. 2152] as peculiarly interests the bulk of readers of any daily newspaper serving a particular locality. It not only is not true to say that the service of the Associated Press is in any sense necessary to a daily newspaper, but the fact is that this could not be true since so many daily newspapers flourish which receive no Associated Press service. I in-

stance the following cases, known to me, showing that the Associated Press service is not necessary to the fully successful conduct of a daily newspaper, namely:

Catskill Mail, Catskill, New York
Dunkirk Observer, Dunkirk, New York
Hudson Star, Hudson, New York
Newburgh News, Newburgh, New York

Charles E. Koons.

Sworn to before me this 10th day of June, 1943.
Frank P. Cox, Notary Public. (Seal.)

[fol. 2153] AFFIDAVIT OF W. D. MANSFIELD

COMMONWEALTH OF PENNSYLVANIA,
County of Allegheny, ss:

W. D. Mansfield, being duly sworn, says:

First: I am the Editor of The Daily News of McKeesport, Pennsylvania. This paper has a circulation approaching 28,000. The population of the City of McKeesport, which is near to Pittsburgh, is over 55,000. The Daily News is not a member of the Associated Press, and depends entirely upon the services of the United Press and the International News Service.

Second: Both of the services which The Daily News receives are complete services of domestic and foreign news, local and state news also.

Third: I have been connected with The Daily News since the year 1925. Before that I had no experience as a newspaperman.

Fourth: Of course, I am very familiar with the United Press service and the International News Service. Also, since I must keep up with the important things of the newspaper world, I know the service of the Associated Press also. Certainly it is not true that membership in the Associated Press is necessary to the success of a daily Newspaper. The Daily News would not have a circulation of nearly 28,000 in a town of less than 60,000 only ten miles

from Pittsburgh if the service of the Associated Press was vitally necessary, or even necessary at all. It is not true to say that the service of the Associated Press is necessary, and I do not believe that the degree of success of a daily newspaper can be very seriously affected by a change in the news service which it receives.

Fifth: The following facts, which I know of my own knowledge appear to me to show that it is not true that a [fol. 2154] daily newspaper really needs membership in the Associated Press when it can have the service of the United Press or the service of the International News Service or both, namely:

The latest report of the Audit Bureau of Circulations shows that for the period ending March 31, 1942, the net paid circulation of the Pittsburgh Sun-Telegraph, the only afternoon paper circulated in the McKeesport District that is a member of the Associated Press as compared with the net paid circulation of The Daily News in McKeesport and district municipalities was as follows; to wit:

Municipality	*Sun Telegraph*	*The Daily News*
ALLEGHENY COUNTY		
Bellebridge	——	99
Blythedale)	29	102
Douglas)	——	——
Boston	7	334
Buena Vista	8	114
Bunola	9	29
Camden	2	54
Clairton	767	2,016
Coal Valley	13	152
Coulter	4	53
Dravosburg	72	847
Duquesne	785	2,234
East McKeesport	310	598
Elizabeth	240	662
Elizabeth Township (Mt. Vernon Area)	——	245
Floreffe	14	33
Frank	10	117
Glassport	143	1,435
Greenock	2	237

Municipality	*Sun Telegraph*	*The Daily News*
Large	37	91
Liberty	——	334
McKeesport	1,075	14,307
Mifflin Township	——	38
[fol. 2155] Port Vue	5	285
Versailles	23	505
Versailles Township	——	63
West Elizabeth	85	262
Wylie	——	129
WESTMORELAND COUNTY		
North Huntington Twp. (R. D. 3 Irwin)	——	32
Sutterville	45	74
West Newton	282	205
WASHINGTON COUNTY		
Elrama	53	106
Totals	4,020	25,792

W. D. Mansfield.

Sworn to before me this 18th day of June, 1943. Robbert J. Kurtz, Notary Public. (Seal.)

[fol. 2156] AFFIDAVIT OF JOSEPH F. McDONALD

STATE OF NEVADA;
County of Washoe, ss:

Joseph F. McDonald, being duly sworn says:

First: I am, and since the year 1939, have been the Editor and Manager of the Nevada State Journal of Reno, Nevada, a daily newspaper published in Reno, established in the year 1870. I have been connected with the Nevada State Journal of Reno, Nevada, since the year 1939, and I have been in the newspaper business since the year 1915.

Second: The Nevada State Journal of Reno, Nevada, was a member of the Associated Press prior to 1931.

Towards the end of the year 1931, the Nevada State Journal ceased to take the Associated Press Service and severed all connection with the Associated Press. Since then it has been taking the United Press Service. It has a daily circulation of upwards of 9,000 and 11,000 Sundays in a population of approximately 22,500 for the City of Reno.

Third: During my experience as a newspaper man, I have worked for the following newspapers in the following capacities, commencing in the year 1915, namely:

Nevada State Journal-Reporter, 1915
Reno Evening Gazette-Reporter, 1915 to 1922
Nevada State Journal-Editor & Manager, 1922-1927
Reno Evening Gazette-City Editor, 1927-1939
Nevada State Journal-Editor & Manager, 1939—

I am, of course, familiar with the service rendered by the United Press, and also the Associated Press Service as I have used both of them.

Fourth: The Nevada State Journal has been invited on several occasions to become again a member of the Associated Press, but has not chosen to do so. The United Press Service fills adequately our needs as a daily newspaper, [fol. 2157] and enables us to carry on our business successfully. If we did not know by experience that we can go on successfully with the United Press Service, but thought the Associated Press Service necessary to our success, we, of course, would take the Associated Press Service as soon as we could arrange for it. Our experience is, that both for local news for the State of Nevada, and for news of the United States, and for news from all over the world, the United Press gives a satisfactory and complete service and we do not feel that we need another service or a different service. From what I have said above, it is evident that I do not regard it as a vital matter, on which success might depend, to have one good news service rather than another. The service of the Associated Press is in no sense necessary to success in publishing a daily newspaper, and we are today paying a higher charge for the United Press report than we would have to pay for the Associated Press report.

Fifth: I call attention to the following additional facts, showing that the success of a daily newspaper does not re-

quire it have the service of the Associated Press news reports: The circulation of the Nevada State Journal has increased gradually over a period of years and is still gaining. We receive more news each day than we can use, and the coverage is complete.

(S.) Joseph F. McDonald.

Sworn to before me this 12th day of June, 1943. Clarence K. Jones, Notary Public. (Seal.)

[fol. 2158] AFFIDAVIT OF JOHN J. MEAD, JR.

COMMONWEALTH OF PENNSYLVANIA,
County of Erie, ss:

John J. Mead, Jr., being duly sworn, says:

First: I am the Editor and Co-Publisher of The Erie Daily Times of Erie, Pennsylvania. This paper was established in the year 1888. The City of Erie has a population of about 125,000, and The Erie Daily Times has a circulation of 45,600. I have been connected with The Erie Daily Times since 1915.

Second: The Erie Daily Times was a member of the Associated Press from around 1900 through 1904. We voluntarily withdrew from the association and discontinued the service with no adverse effect on our progress.

The Erie Daily Times has been served by the United Press News Service for approximately the past twenty years and by the International News Service for approximately twenty-seven years.

Its immediate and only newspaper competitor, The Dispatch-Herald, a member of the Associated Press, has a circulation 10,000 smaller than the circulation of The Erie Daily Times.

Third: During my experience as a newspaper man, which goes back to the year 1915, I have worked in the following capacities in the following connections, namely: Advertising Solicitor, Erie Daily Times; Reporter, Erie Daily Times; Desk Man, Erie Daily Times; Managing Editor, Erie Daily Times; Editor and Co-Publisher, Erie Daily Times.

I, of course, am familiar with the United Press News Service and with that of the International News Service,

and because I have to know what is going on in my line, and because by paper's competitor takes the Associated Press Service and I have to watch the competitor, I am familiar also with the Associated Press Service.

[fol. 2159] Fourth: I am not of the opinion that a daily newspaper is at any great disadvantage in competition in that it has to be content with other news service while its competitor receives the service of the Associated Press. Naturally I could not think it a disadvantage in the face of the fact that my paper maintains a circulation of over 45,000 while its competitor with Associated Press Service has a circulation of approximately 35,000. The service of the United Press is a complete news service, covering all the world and all the news. It has its contacts and representatives at all points, and reports the foreign news fully and accurately. It also covers the domestic news of the United States equally well, and it covers the local news such as is of peculiar interest to a newspaper's local readers, which constitutes the bulk of its readers of course. The International News Service is also a complete service, and with these two services the Erie Daily Times is well supplied and well able to maintain itself in competition.

Fifth: I am not of the opinion that any particular news service is necessary. The three named above in this affidavit are all good services. Certainly a daily paper needs a good news service. But its success or failure is not going to be determined by which service or services it receives nor is the degree of its success likely to be very greatly influenced in that way, because the controlling factors of success are matters of the immediate conduct of the publication by those who manage it and its business.

Sixth: It is not true that membership in the Associated Press is necessary to a daily newspaper, or that a daily newspaper cannot attain a full success without membership in the Associated Press, and I believe that the record in competition with an Associated Press paper, of The Erie Daily Times, is clear proof of the truth of this statement.

The following circumstances known to me are additional evidence that membership in the Associated Press is not necessary to the success of a daily newspaper, namely:

[fol. 2160] The fact that The Erie Daily Times is not a member of the Associated Press is not nor never has been a

deterrent to our advertising patronage nor to our advertising or circulation price structure.

We carry a greater advertising column than our Associated Press competitor and at a rate consistent with our higher circulation.

John J. Mead, Jr.

Sworn to before me this 11th day of June, 1943. Alice C. Peerboom, Notary Public. (Seal.)

[fol. 2161] AFFIDAVIT OF RALPH O. NUSBAUM

STATE OF INDIANA,
County of Kosciusko, ss.:

Ralph O. Nusbaum, being duly sworn, says:

First: I am the editor of the Warsaw Union of Warsaw, Indiana, a daily newspaper established in the year 1860, published by Reub. Williams & Sons. Warsaw has a population of 6,600, and the Union has a circulation of 2,415. I have been in the newspaper business since the year 1904 and have been connected with the Warsaw Union since the year 1923.

Second: From some time before 1923 until early in the year 1940, the Union was a member of the Associated Press. In February, 1940, the Union discontinued taking Associated Press Service, and it ceased to be a member. The Union has been served by the United Press since February, 1940.

Third: Since the beginning of my newspaper experience, in the year 1904, I have had the following business connections, in the following capacities, namely:

Reporter, Elkhart Truth, Elkhart, Ind.
Advertising Manager, Elkhart Review, Elkhart.
City Editor, Warsaw Times, Warsaw, Ind.
Editor, Warsaw Union, Warsaw, Ind.

My duties require me to keep in touch with what goes on in the newspaper world, and what neighbors are doing, and I am familiar with the important news services. I know the United Press Service well, of course, and I know the Associated Press Service, too. Another comprehensive and complete service is the International News Service.

Fourth: The service rendered by the United Press Service is a complete and comprehensive service. It covers every- [fol. 2162] thing. It covers the whole world efficiently, receiving news reports from everywhere and supplying a good report of the news of the world. It covers thoroughly also the domestic news of the United States and the local news of the regions of publication of the papers which it serves. It supplies a service sufficient to the good success of any daily newspaper. The Union, as shown above, could have had Associated Press Service had it so desired, since it was a member until 1940 and could have remained a member had it chosen to do so. If it had been believed that the Associated Press Service is necessary to the success of a daily newspaper, or that a daily newspaper would have appreciably greater success if it received the Associated Press report than it would have if it received the United Press report, then the Warsaw Union would have remained with the Associated Press.

Fifth: As a matter of fact, I do not believe that the receipt of one of the complete and comprehensive news services, rather than that of another, is a determining factor in the success of a daily newspaper. I think that the qualities of management are what count. Of course, a daily newspaper cannot exist successfully today without a complete news coverage. But it is by no means true that the Associated Press gives the only such service. The service given by the United Press is ample and adequate.

Sixth: In addition to what I have said above, I state the following things, which are known to me, as showing that it is by no means necessary that a daily newspaper have the Associated Press reports, namely: The Warsaw (Ind.) Times, served by UP only, competed successfully from 1910 to 1940 with its rival Warsaw Union, served by AP only. The Goshen (Ind.) News Times, served by UP only competed successfully with Goshen Democrat from about 1910 to 1936. I edited the AP report 20 years (1923 to 1940) and [fol. 2163] UP report 16 years, 1910-1923, 1940-1943, prefer the UP for a town of our size.

Ralph O. Nusbaum.

Sworn to before me this 9th day of June, 1943. Ruby A. Carroll, Notary Public. (Seal.)

[fol. 2164] AFFIDAVIT OF ROY PINKERTON

STATE OF CALIFORNIA,
County of Ventura, ss.:

Roy Pinkerton, being duly sworn, says:

First: The Star-Free Press of Ventura, California, is a daily newspaper that developed from the founding of the Ventura County Star in 1925 and the subsequent purchase and merging of two older dailies, the Post and the Ventura Free Press, one of them established in 1875. The population of Ventura is about 15,000, and of Ventura county about 70,000. The circulation of the Star-Free Press for the first quarter of 1943 was 8201.

Second: Since the date of its first issue, June 15, 1925, the Ventura County Star, and the Star-Free Press after it, has used the United Press news service exclusively. The Ventura Free Press became a member of the Associated Press at some time prior to 1932 and used that service exclusively until purchased by the Ventura County Star in August, 1936. The owners of the merged newspapers discontinued the Associated Press service at that time, and declined to assume the Free Press membership in Associated Press.

Third: My experience as a newspaperman goes back to my graduation from the University of Washington in 1911, and even prior to that, since which I have worked continuously up to date in the following capacities and in the following connections:

Reporter, desk man, Tacoma (Wash.) Ledger.
Desk, Los Angeles (Calif.) Tribune.
Desk, reporter, Los Angeles Express.
City Editor, Seattle (Wash.) Sun.
Editor, Tacoma (Wash.) Times.
Editor, Seattle Star.
[fol. 2165] Associate editor, Cleveland (O.) Press.
Editor, San Diego (Calif.) Sun.

Since 1925, in establishment, purchase and operation of various California small-city dailies, in recent years in association with John P. Scripps. I am now president and editor-in-chief of John P. Scripps Newspapers, a California corporation.

I am familiar with the service of the United Press, and almost equally so with the Associated Press service. One of our dailies, the Redding (Calif.) Record-Searchlight is a member of Associated Press. I also know that there is a third news service available to newspaper publishers, namely, International News Service.

Fourth: Without undertaking to say that the service of the United Press is better than that of the Associated Press, or *vice versa*, it is my belief that the United Press as well as the Associated Press furnishes a reasonably complete news service which covers the news from local news through the domestic news of the United States, to foreign news which comes from all parts of the world. It has been my experience that a daily newspaper having the United Press service is in a position to succeed fully in its business and in its presentation of news to its community. In negotiating for press service for our various papers from time to time, I have not felt it was a matter of essential importance whether such service were procured from Associated Press or from United Press. It has been my experience that the measure of success achieved by the paper was due to other factors.

Fifth: As a further fact bearing on the subject of news paper operation, I might state that John P. Scripps Newspapers, a corporation, with which I have been connected as mentioned in paragraph Third, in 1935 founded the Santa Ana Journal, at Santa Ana, California, and operated it for [fol. 2166] three and a half years in an unsuccessful effort to establish it on a paying basis. Throughout that period we had an Associated Press Membership and used the leased wire service that it provided, yet sustained considerable losses at all times and found ourselves unable to attract a circulation of sufficient volume to make the Journal essential in the community life. During that period the older established daily in the field, the Santa Ana Register, used the United Press service exclusively.

Roy Pinkerton.

Sworn to before me this 18th day of June, 1943. Mildred H. Heck, Notary Public. (Seal.)

[fol. 2167] AFFIDAVIT OF W. F. PRISK

STATE OF CALIFORNIA,
County of Los Angeles, ss:

W. F. Prisk, being duly sworn, says:

First: I am the president and publisher of the Long Beach Sun of Long Beach, California, established in 1923 and owned by the Long Beach Press-Telegram Publishing Company. I am also president of the Pasadena Star-News Publishing Company, which publishes The Pasadena Post, established in 1919 in Pasadena, California. I have been connected with both the Long Beach Sun and The Pasadena Post since the year 1932. For 54 years I have been in the business of newspaper publishing.

Second: The Long Beach Sun has never applied for membership in the Associated Press. It is served by the United Press and is a successful newspaper, operating in a highly competitive field. Long Beach has a population of approximately 230,000 and The Sun has a circulation of approximately 12,000. The Pasadena Post used the Associated Press until 1932, when the newspaper was placed on the market and purchased by the Pasadena Star-News Publishing Company. Since then it has used only the United Press. Pasadena's population is approximately 85,000 and The Post has a circulation above 21,500.

Third: In my 54 years as a newspaper man I have been business manager of the Grass Valley, California, Telegraph; president of the Grass Valley Union Publishing Company since 1894; president of the Press-Telegram Publishing Company, Long Beach, California, since 1911; and since 1940 president of the Pasadena Star-News Publishing Company, Pasadena, California. In the operation of our newspapers I am thoroughly familiar with services of the Associated Press and the International News Service. The Long Beach Sun and the Pasadena Post are adequately served by the United Press and I do not feel [fol. 2168] that they need an Associated Press service. I am persuaded that the United Press service is adequate. The International News Service also furnishes reliable coverage of Southern California, state, national and world news. Without saying that the Associated Press is inferior to either of these services, or that it is better than

either of them, I am persuaded, and my experience proves to me that a daily newspaper can be operated successfully, without the Associated Press news reports. The history of the Pasadena Post illustrates this point. Until 1932, it used the Associated Press only. Placed upon the market by former owners, it was purchased that year by the Pasadena Star-News Publishing Company, which transferred the Associated Press news to the Star-News, buying United Press news for The Post. The Post since has become a successful newspaper. While a daily newspaper must have a good wire news service, I feel experience shows either of these services is adequate, and that success of a newspaper depends more upon management and skilled editorial direction than upon the sole factor of which news service it uses.

Fourth: I state the following facts which are known to me, as further evidencing the fact that a daily newspaper can be successfully operated without taking any Associated Press Service: The Pasadena Star-News, served only by the United Press, in 1932, was in position to purchase its less successful opposition, The Pasadena Post, served only by the Associated Press.

W. F. Prisk.

Sworn to before me this 8 day of June, 1943. Robert E. Miller, Notary Public. (Seal.)

[fol. 2169] AFFIDAVIT OF WALTER A. SCHMITZ

COMMONWEALTH OF MASSACHUSETTS,
County of Norfolk, ss:

Walter A. Schmitz, being duly sworn, says:

First: The Quincy Patriot Ledger of Quincy, Massachusetts, is a daily newspaper established in 1837. Quincy, which is within the Boston metropolitan area, has a population approaching 76,000, and the Patriot Ledger has a circulation approaching 27,000.

Second: In 1927 the Patriot Ledger became a member of the Associated Press. It was not altogether satisfied, and found that it was on a circuit with several other papers further from Boston, and that a good deal of the news

served on this circuit probably was of interest to those other papers, but not to the Patriot Ledger and in most cases was being beat by news pertaining to this territory by another publication in this city using United Press exclusively. The Patriot Ledger voluntarily ceased to be a member of the Associated Press in February 1934.

Third: I have been connected with the Patriot Ledger since the year 1930. My experience as a newspaper man began in the year 1916, since when I have worked on the following newspapers before becoming associated with the Patriot Ledger, namely:

Kansas City Post
Kansas City Journal Post
California Fresno Bee
Los Angeles Examiner
Copley Publications, covering nineteen publications in southern California

etc.

I know the service which the Associated Press supplies, and the service which the United Press and International News Service supplies.

Fourth: When the Patriot Ledger withdrew from the Associated Press, which it did voluntarily because it pre- [fol. 2170] ferred to take the service of the International News, it later contracted for the United Press service and has continued to receive that service thenceforward. The service supplied by the United Press is a complete service covering all the news, foreign, domestic, and local. All of these fields, namely, the world at large, the United States, and the vicinity of publication of the particular paper, are covered in a satisfactory, complete, and accurate manner.

Fifth: As to any idea that membership in the Associated Press is necessary to a daily newspaper, the experience of the Patriot Ledger, as well as the experience of many other daily newspapers, proves that there is nothing in that. If that were a fact, the Patriot Ledger would never have withdrawn from the Associated Press, and if it had been so, it would certainly have sought to get back long since, because it would have found that it could not get along. That Associated Press service is necessary is not true. Furthermore, it is the opinion of the management of

the Quincy Patriot Ledger that the United Press service is thoroughly satisfactory. It would be at least as true to say that the United Press service is necessary to a daily newspaper, as it would be to say that the Associated Press service is.

Sixth: I know from my own experience the following facts which, in addition to what is said above, shows that membership in the Associated Press is not necessary to the successful conduct of a daily newspaper, namely: We grew from less than 10,000 circulation to about 27,000 circulation covering the same size territory.

Walter A. Schmitz.

Sworn to before me this 10th day of June, 1943.
Lucie A. Spicer, Notary Public. (Seal.)

[fol. 2171] AFFIDAVIT OF FRANK D. SCHROTH

STATE OF NEW YORK,
County of Kings, ss:

Frank D. Schroth, being duly sworn, says:

First: I am the publisher of the Brooklyn Eagle, a daily newspaper published in Brooklyn, New York. I have been publisher of this newspaper for four and one-half years. When I took over the property, it was a member of the Associated Press and received regularly the Associated Press news service. It was at the same time a client of the United Press and received its wire service. In March of 1941 I disposed of the Associated Press membership for reasons of economy and since then have relied completely upon the service of the United Press.

Second: For March of 1941 the average daily circulation of the Brooklyn Eagle, on a six-day basis, was 97,078. For May of 1943 the average daily circulation of the Brooklyn Eagle, on a six-day basis, was 99,386. On a five-day basis the circulation of the Brooklyn Eagle for May 1943 was 102,101. The average Sunday circulation for March of 1941 was 93,280. The average Sunday circulation for May of 1943 was 96,051. The disposition of the Associated Press service was not detrimental to the circulation of the paper.

Third: I have been a newspaper man for thirty-five years. I was Associate Publisher and General Manager of the Trenton Times Newspapers for eight years. I was Editor and Publisher of the Scranton Tribune for five years. In each of these places I had membership in the Associated Press, and for a year or two I was the President of the Associated Press of New Jersey.

Fourth: I believe in the excellence of the service of the Associated Press. My experience, however, does not indicate that this service is completely essential to the success of a daily newspaper. Other factors, such as local news [fol. 2172] coverage and editorial attitude, are involved. There are three wire services, each of which provides splendid news coverage.

Fifth: With as full a coverage of local community news as is possible, the complete service of the United Press has been entirely sufficient for the purposes of the Brooklyn Eagle. I have the highest regard for the service of the United Press, especially its widespread foreign connections, and in my opinion it fully supplies the needs of my daily newspaper. I am also acquainted with the splendid service furnished by the International News.

Sixth: As a result of my experience, my judgment is that newspapers of importance can be successful in their various communities with any one of the three world wide services.

Frank D. Schroth.

Sworn to before me this 17th day of June, 1943.
Vincent E. Sheridan, Notary Public. (Seal.)

[fol. 2173] AFFIDAVIT OF D. N. SLEP

COMMONWEALTH OF PENNSYLVANIA,
County of Blair, ss.:

D. N. Slep, being duly sworn, says:

First: I have been connected with the publication of newspapers for almost fifty-one years. For the last twenty years or more I have been the publisher of the Altoona Mirror, of Altoona, Pennsylvania, which was established in 1874.

Second: In 1922, my father as publisher of the Mirror resigned from the Associated Press. He died shortly afterwards, and I then became the publisher of the Mirror and have continued to publish it in Altoona ever since. On resigning from the Associated Press, my father caused the Mirror to take the service of the United Press, and the Mirror has continued to use the United Press service alone ever since, namely, for some twenty-one years.

Third: In my personal experience in newspaper publishing, which goes back to the year 1892, I have worked in the following capacities, namely: pressman, mechanical superintendent and now a director, president and general manager of the company. I am familiar, through my general experience, with the service of the Associated Press, and was familiar with it while it was being used by the Altoona Mirror. I am also familiar with the service of the United Press of course.

Fourth: As is noted above, my paper, the Mirror, has not had Associated Press service since 1922. It has had opportunities, and could have renewed its Associated Press service, but it has found the United Press service entirely satisfactory and has not desired to change. Altoona is a city of upwards of 80,000, and the Mirror had in September 1942 a circulation of 26,930. We maintain ourselves successfully with the United Press service and no other.

[fol. 2174] Fifth: According to my experience and observation, the service of the United Press is fully adequate, covering local news which interests our readers, domestic news of the United States, and the news of the world at large. It supplies adequately the needs of a daily newspaper, as appears from my own experience stated above. The service of the United Press is adequate to enable a properly managed newspaper to compete successfully against a newspaper having the Associated Press service, according to my opinion.

Sixth: It is my opinion that the press service on which a daily newspaper depends, namely, whether it depends on Associated Press service, or on United Press service, or on service of the International News Service, is not a factor determinative of success or the contrary. I am sure that a paper will succeed with either Associated Press service or United Press service, if it has a good and competent

management, and that a paper which is incompetently managed will not succeed, whichever service it takes. Of course a good and comprehensive news service is necessary to any daily newspaper. Such a service is furnished by the United Press for one, and by the Associated Press for another, and, I believe, by the International News Service too, although my experience does not extend to that.

D. N. Slep.

Sworn to before me this 8th day of June, 1943. Ada E. Reynolds, Notary Public. (Seal.)

{fol. 2175} AFFIDAVIT OF CURTIS G. SMALL

STATE OF ILLINOIS,
County of —, ss.:

Curtis G. Small, being duly sworn, says:

First: "The Daily Register" of Harrisburg, Illinois, is a daily newspaper which has been published continuously since 1915, the outgrowth of the Saline County Register established in the year 1869. Harrisburg has a population of some 12,000, and The Register has a circulation of close to 5,500 as of September 1942. I am the editor and manager of The Daily Register, and have been connected with it since the year 1918.

Second: For twenty-five years and more The Daily Register has been receiving the United Press news service exclusively. I, of course, am familiar with that service, and I also take note of the character of the news service of the Associated Press and I know about it.

Third: I have been connected with the business of publishing newspapers since the year 1918, and during the period from then until now I have worked in the following capacities and in the following connections, namely: Street Salesman, Circulation Manager, Reporter, News Editor, Assistant General Manager and Editor and Manager of The Daily Register, Harrisburg, Illinois.

Fourth: There is no doubt in my mind that the news service of the United Press is sufficient and adequate for the needs of a daily newspaper. Without making a comparison between the service of the United Press and the service of the Associated Press, I am perfectly sure that there is not

enough difference between them to make the use of one rather than the other a factor of any real importance in the success of a newspaper enterprise. The United Press service is a very complete service, and it covers the news completely, both local and domestic news of all sorts, and the [fol. 2176] news of the world at large. Its report covers all the foreign news. I do not make a point that the United Press service is superior to the Associated Press service, or even necessarily as good, but that it is sufficient and complete and adequate to maintain the success of a daily newspaper. I do not believe that the success or not of a daily newspaper could be substantially changed by switching from United Press to Associated Press or *vice-versa*.

Fifth: I know the additional facts hereafter stated which also show that receipt of the service of the Associated Press is not necessary to the success of a daily newspaper, namely: The fact that some newspapers which have been Associated Press members have been forced to suspend publication while others with United Press or International News Service connections have survived would indicate that personal initiative of the management and/or local business conditions are a factor in the newspaper's success. I cite specifically that in my home county of Saline County, Illinois, The Eldorado Daily Journal, a client of International News Service, continues publication; whereas the Eldorado Daily News, at one time a client of the Associated Press, has since January 1, 1943, suspended daily publication.

Curtis G. Small.

Sworn to before me this 14th day of June, 1943.
Arthur M. Debes, Notary Public. (Seal.)

[fol. 2177] AFFIDAVIT OF ALLEN T. WITTER

STATE OF CALIFORNIA,
County of Imperial, ss.:

Allen T. Witter, being duly sworn, says:

First: I am the managing editor of The Brawley News of Brawley, California, a daily newspaper established in the year 1903. I have been connected with the Brawley News in my present capacity since the year 1931 and have been in the newspaper business since the year 1920.

Second: The Brawley News was formerly a member of the Associated Press, but ceased to be a member on the 10th day of January, 1937, when it began to take the United Press service, as it has done ever since. The Brawley News has a circulation of 2800 and the population of Brawley, California is about 11,000.

Third: My experience as a newspaper man began in the year 1920, and I have filled the following positions since then until now, namely:

On the Brawley News: Carrier boy, printers devil, printers apprentice, Duplex pressman, assistant in the business office, bookkeeper, reporter, assistant to publisher, managing editor in charge of all departments.

In California Newspaper Publishers Association: past member of the advisory council, past secretary Imperial Valley Unit California Newspaper Publishers Assn., Past President Imperial Valley Unit California Newspaper Publishers Assn.

I am familiar with the service rendered by the Associated Press and likewise with the service rendered by the United Press.

Fourth: Without making comparisons as between the Associated Press and the United Press, I know from ex-
[fol. 2178] perience that the United Press is sufficient and adequate to provide a daily newspaper in a place similar to Brawley, with what it needs, both in the way of local news service, of national news service, and of news reports from all over the world. It is not true, as I know from experience, that a daily newspaper in a place comparable to Brawley, has to have the Associated Press service in order to have a good chance for success. If one of the established services of the country is better than others, having it rather than one of the others will make a good paper better, still it will not make an unsuccessful paper successful, nor will having a less excellent service make a successful paper unsuccessful. Success or failure depends on other forces, because there are several news services sufficiently good for all the purposes of a successful daily paper.

Allen T. Witter.

Sworn to before me this 14th day of June, 1943.
S. D. Carey, Notary Public.

[fol. 2179] AFFIDAVIT OF PAUL PATTERSON

CITY OF BALTIMORE,
State of Maryland, ss.:

Paul Patterson, being duly sworn, deposes and says:

I reside in Baltimore, Maryland, and am the president of the A. S. Abell Company, the publisher of the Baltimore Sun and the Baltimore Evening Sun.

I have been in the newspaper business since 1899 in the following capacities:

In 1899, I was University of Chicago correspondent for the Chicago Tribune, while I was a student at that University. In 1900, I was a reporter on the Chicago Journal and in the succeeding three years became telegraph editor and later make-up editor, on that paper.

In 1903, I became night city editor of the Chicago Interocean.

In 1904, I went to the Chicago Examiner, first as copy reader and shortly thereafter became city editor, which position I held for two years.

All of these Chicago newspapers were members of The Associated Press.

In 1906, I was called to Washington by Mr. Scott Bone to assist in the establishment of a new morning newspaper in that city, the Washington Herald. I became White House correspondent for that paper. It was not a member of The Associated Press and the only news agency to which it was a subscriber was the Laffan News Bureau a news agency controlled by the New York Sun which was then a morning paper in the City of New York. Shortly after the Washington Herald began publication, I became its city editor until 1907, when I became city editor of the Washington Times, an evening paper, owned by Frank A. Munsey, which was not a member of The Associated Press.

Between that time and 1911, I was city editor, managing editor, and general manager of the Times. Subsequently these two papers were merged into the present Washington Times-Herald.

[fol. 2180] In 1911, I became the managing editor of the Baltimore Evening Sun, a newspaper which had been started the year before and which was not a member of The

Associated Press. In 1913, I became business manager of both the morning Sun and the Evening Sun. In 1914 I was elected Assistant Secretary and Assistant Treasurer of the A. S. Abell Company, the publisher of the two Sun papers. In 1916 I became Secretary and Treasurer. In 1919, I was elected president of The A. S. Abell Company and have continued as president since that time, giving particular attention to the direction of the editorial and news departments of the two papers.

From 1920 to 1922 I was vice president, and from 1922 to 1924 president, of the American Newspaper Publishers Association.

I have been familiar with the operations of The Associated Press and its news reports during its entire existence of the past forty three years. From 1930 to 1932, I was a vice president of The Associated Press and since 1932, I have been a director. During the past eleven years, I have acquired an intimate knowledge of the character of the organization of The Associated Press, its personnel, and operations.

As stated above, the Baltimore Evening Sun was established in 1910. It did not become a member of The Associated Press until eighteen years thereafter, in 1928.

Beginning in 1911, I have personal knowledge of the history of the Evening Sun, both as to its growth in circulation and advertising lineage and also its financial condition.

In 1910, before the establishment of the Evening Sun, there were in Baltimore, two evening papers, (1) Baltimore News, established in 1872, an original member of The Associated Press and then owned by Frank A. Munsey; and (2) The Evening Star, established in 1908, not a member of The Associated Press, which was the evening edition [fol. 2181] of the Baltimore American, another original member of The Associated Press.

With the establishment of the Evening Sun, there were then three evening newspapers in Baltimore of which only one, the News, was a member of The Associated Press.

In 1911, a year after the establishment of the Evening Sun, the average daily circulation of the Evening Sun was 29,028; in that same year, the average daily circulation of the News was 69,776.

By 1923, the average daily circulation of the Evening Sun, the non-Associated Press paper, exceeded the average

daily circulation of the News, an Associated Press paper, by approximately 10,000. A comparative table of the average daily circulations of the Evening Sun and the News for each year from 1911 to 1930; inclusive, is annexed hereto and marked Exhibit I.

In 1912, the earliest year for which comparative figures are available, the total advertising lineage of the Evening Sun was 3,674,308 agate lines and for the News 7,200,236 agate lines.

In 1923, the total advertising lineage of the Evening Sun was 15,950,752 agate lines and in that year, the total advertising lineage of the News was 9,877,837 agate lines.

In 1926, while the Evening Sun was still not a member of The Associated Press, its total advertising lineage was 17,844,842 agate lines whereas in that same year the total advertising lineage of the News was 7,905,894 agate lines.

In 1914, complete reorganization of the business management was effected with the result that losses were stopped and by 1916, the Sun papers began to show a profit from operations. They continued to do so increasingly in the succeeding years, so that The Abell Company was fully established on a sound financial basis long before 1928, when membership in The Associated Press was acquired for the Evening Sun.

The Evening Sun sought membership in The Associated Press not because it could not operate successfully [fol. 2182] without such membership but for quite other reasons. Its first editor, Mr. Charles H. Gresty, had been a director of The Associated Press for many years. It was his personal desire that the new paper should be conducted in accordance with Associated Press patterns which he had helped to establish and with which he was most familiar. Moreover, the offices and plant of the Evening Sun were housed in the same building in which the offices and plant of the morning Sun were and there were numerous technical difficulties and financial operating waste in publishing in the same plant an AP and non-AP paper.

In the beginning, accordingly, membership in the Associated Press was sought for the Evening Sun. It was not obtained at that time and application for membership in AP was not again made until 1924. This was unsuccessful and it was not until 1928, that membership was attained.

During the entire period from 1910 to 1926, the only

news agency to which the Evening Sun subscribed was United Press.

I know from my personal knowledge that the Evening Sun utilizing only the UP wire service from 1910 to 1928 was able to compete and did compete successfully with the other evening newspapers in Baltimore and established itself as one of the predominantly successful evening newspapers in the United States.

Throughout that period, competition of evening newspapers in Baltimore was extremely vigorous. In 1922, the Scripps-Howard Newspapers established a new evening newspaper called the Post. This paper had, of course, UP service and the resources of the entire Scripps-Howard organization. It was not a member of The Associated Press.

In 1923, William R. Hearst bought from Mr. Munsey the News, which in 1920 had acquired the Evening Star, and consolidated it with the News. From 1923 on, the News had behind it all the resources of the vast Hearst [fol. 2183] Newspaper organization. When Mr. Hearst took over the News, he utilized INS wire reports, as well as AP news reports, in the publication of the News.

In the face of such intense competition, the Evening Sun not only prospered but attained and maintained a dominance in the evening newspaper field in Baltimore.

In 1900, there were four English language and one German language morning newspapers in Baltimore: the World, the Herald, the American, the Sun and the Deutsche Correspondent. All but the World were members of The Associated Press.

In 1904, the Herald, which I am informed had become increasingly unsuccessful financially, shifted from a morning paper with AP membership to an afternoon paper without AP membership. This shift did not bring prosperity and in 1906, the Herald failed. The World ceased publication in 1910. In 1918, the Deutsche Correspondent ceased publication.

When I came to Baltimore in 1911, the situation in the morning newspaper field reflected the general trend of conditions which had been developing in metropolitan cities throughout the United States since 1900, or even earlier. The only morning English language newspapers still published were the Sun and the American. Publication of the

American as a daily ceased in 1928 and it continues now only on Sundays.

In my opinion, the value of an AP membership in the morning field in Baltimore at the present time is at least the sum of $175,000, and in the evening field at least the sum of $150,000, or even more, because of (1) opportunities for economies which are available to a member of The Associated Press in Baltimore, (2) the sums which an AP member would have to expend in publishing his newspaper to compensate for the advantage gained by his competitor in obtaining the AP news service, and (3) the interest which an existing member has in the assets, tangible and intangible, of the Associated Press.

[fol. 2184] In 1940, the cost to the Baltimore morning Sun and Evening Sun of the AP news reports and wirephoto services was only 1.6% of the total cost of the Sun papers operations and in 1941, the percentage was only 1.57% of the total cost of operations.

Since 1936, the Evening Sun has not been a subscriber to UP or any general news agency service other than The Associated Press. The morning Sun has never been a subscriber to UP or INS news services.

On March 6, 1942, two representatives of the Federal Bureau of Investigation of the Department of Justice called upon me at my office in Baltimore. Mr. Neil Swanson, Executive Editor of the Sun, was present. After preliminary questions, one of the agents stated that the real purpose of their interrogation of me was to ascertain what I knew in connection with any campaign for proxies against the election of Marshall Field for membership in the Associated Press. I stated that no such campaign had come to my knowledge. Shortly thereafter the interrogation ceased. On the following day, I received in the mail a letter signed by Marshall Field soliciting my proxy in favor of his election to membership in the Associated Press. I so informed one of the FBI agents by telephone. I heard nothing further from any representative of the Department of Justice.

When in the following month the application of Marshall Field for membership in the Associated Press came before the annual meeting of members, I voted against his election. I did so because (1) in the fall of 1941, in submitting his application, he coupled with it a peremptory demand for

a special meeting of members of The Associated Press to act upon his application forthwith; (2) he coupled with his application a threat of litigation if his demand for an immediate meeting of The Associated Press members was not complied with; and (3) he sought and secured the assistance of the Department of Justice by having its FBI agents interrogate many members of The Associated Press [fol. 2185] concerning the solicitation of proxies by those opposed to his application.

I voted against Field's election but I did not advise any one else to vote against him. I know from comments by Associated Press members which I heard on the floor of the annual meeting that other members were influenced by the same considerations which influenced me in voting against Field's election.

Paul Patterson.

Sworn to before me this 9th day of June, 1943. Helen G. James, Notary Public [Seal.]

[fol. 2186] EXHIBIT 1

Year	*Evening Sun*	*News*
1911	29,028	69,776
1912	34,077	72,654
1913	38,633	71,508
1914	42,978	74,895
1915	50,543	73,062
1916	60,805	71,230
1917	69,165	87,334
1918	79,311	106,994
1919	71,475	101,540
1920	82,071	99,871
1921	101,065	115,195
1922	110,844	113,149
1923	114,047	104,179
1924	114,870	108,712
1925	114,932	103,389
1926	123,868	118,538
1927	127,625	137,566
1928	140,083	146,696
1929	146,132	153,515
1930	149,233	162,639

[fol. 2187] AFFIDAVIT OF VANCE C. McCORMICK

STATE OF NEW YORK,
County of New York, ss:

Vance C. McCormick, being duly sworn, deposes and says:

I reside in Harrisburg, Pennsylvania, and am president of The Patriot Company, publishers of The Patriot, a morning paper, and The Evening News, an evening paper, both published in Harrisburg, the population of which, according to the 1940 census was 83,893. I am the principal stockholder of The Patriot Company and have been since 1902. The Patriot Company has been the publisher of The Patriot, established in 1852, since the early nineties. In 1902, there were in Harrisburg, in addition to the morning paper, two afternoon papers, The Telegraph and the Star-Independent. All three of these papers were members of The Associated Press.

In 1916, their circulations were as follows: The Patriot, 20,405; The Telegraph, 23,583; The Star-Independent, 13,719.

In 1917, The Star-Independent was purchased and merged with The Telegraph.

On February 15, 1917, The Patriot Company began the publication of The Evening News, utilizing United Press and International News Service wire reports which it has continued to utilize from that time.

The Evening News has never been a member of The Associated Press, nor has The Patriot Company sought membership for The Evening News.

It has operated at a profit since 1919, and in every year from 1923 to 1942, inclusive, its circulation has exceeded the circulation of The Telegraph, its Associated Press competitor in the evening field in Harrisburg. Annexed hereto and marked Exhibit 1 is a table showing the Audit Bureau of Circulation (ABC) figures of the circulations of The Evening News and The Telegraph for 1923 through 1942, inclusive.

[fol. 2188] From 1918 to 1937, both The Evening News and The Telegraph sold for 2¢ per copy. Since October, 1937, both have sold for 3¢ per copy.

In 1934, the publisher of the Telegraph, the evening Associated Press paper in Harrisburg, established a morn-

ing newspaper there, the Morning Telegraph, without Associated Press membership. The Morning Telegraph did not subscribe to either the United Press or International News Service news services but utilized the new services of Transradio and the New York Herald Tribune. In 1935, the year after it first began publication, the circulation of the Morning Telegraph as reported in the Ayer Directory, was 18,524, while the circulation in that year of The Patriot, the Associated Press morning paper, was 15,296.

Vance C. McCormick.

Sworn to before me this 15th day of June, 1943.
Hazel S. Snyder, Notary Public. (Seal.)

[fol. 2189] EXHIBIT 1

A. B. C. Figures of Harrisburg, Pennsylvania, Evening Newspapers

Year	*The Evening News*	*Telegraph*
1923	39,229	36,956
1924	43,802	39,115
1925	46,455	39,306
1926	47,874	43,062
1927	53,191	45,092
1928	55,582	46,915
1929	60,369	50,969
1930	63,486	49,063
1931	61,990	46,359
1932	60,185	45,150
1933	57,900	40,768
1934	60,952	41,100
1935	64,148	39,375
1936	67,203	36,584
1937	68,878	42,003
1938	59,397	35,284
1939	60,504	38,231
1940	61,826	38,102
1941	62,104	39,109
1942	64,038	40,181

[fol. 2190] AFFIDAVIT OF V. HUMMEL BERGHAUS, JR.

COMMONWEALTH OF PENNSYLVANIA,
County of Dauphin, ss:

V. HUMMEL BERGHAUS, JR., being duly sworn, deposes and says:

I reside in Harrisburg, Pennsylvania and am the managing editor of The Evening News, an afternoon newspaper published in that city. I have been its managing editor since 1917.

My newspaper career began in Harrisburg in 1901, when I was a reporter on the Star-Independent, an afternoon newspaper which was a member of The Associated Press. I remained with the Star-Independent for approximately two years and then was managing editor for approximately two years of The Patriot, an Associated Press morning newspaper, published in Harrisburg.

In 1905, I became a reporter on the New York Press, a morning Associated Press newspaper in the City of New York. I remained with the Press for approximately seven years, during which time I became copy reader and financial editor.

In 1912, I became business manager of the Frederick, Maryland, Post and remained there for a year and a half. In 1914, I returned to Harrisburg and became managing editor of the Star-Independent with which paper I was associated until 1916, when I again became associated with The Patriot as city editor.

Upon the establishment of The Evening News in February, 1917, I became its managing editor.

By reason of my long experience with the foregoing newspapers, I am familiar with the wire reports of the various news agencies including The Associated Press, United Press and International News Service.

Since its establishment in 1917, The Evening News has subscribed to the services of United Press and International News Service and has not had available to it the news reports of The Associated Press. The news reports of [fol. 2191] United Press and International News Service have proved completely adequate for the publication successfully of The Evening News in competition with the

other Harrisburg evening newspaper, the Telegraph, which has always had available to it the news reports of The Associated Press. This is demonstrated not only by the comparative circulations of The Evening News and its Associated Press competitor, the Telegraph, but also by the comparative volume of advertising in the two papers. In every year since 1923, the circulation of The Evening News has exceeded the circulation of the Telegraph. In 1942, the latest available ABC (Audit Bureau of Circulation) figures, the circulation of the Evening News was 64,038; the circulation of the Telegraph was 40,181. In every year since 1922, the volume of advertising in The Evening News has exceeded the volume of advertising in the Telegraph. Annexed hereto and marked Exhibit 1, is a statement of the volume of advertising in The Evening News and in the Telegraph for each year from 1922 to 5/31/43 inclusive. The greater volume of advertising appearing in The Evening News has been achieved despite the fact that, unlike its competitor, it does not accept liquor advertising.

The Evening News has subscribed for many years to the NEA Service, Inc. picture mat service. This service provides spot news pictures. It has proved to be entirely satisfactory for a long period of years. I have frequently compared the pictures appearing in The Evening News with the pictures appearing in the Telegraph which carried The Associated Press picture service and have found that our pictures, in respect of completeness of coverage, timeliness and reader appeal have been at least equal to The Associated Press pictures appearing in the Telegraph.

The Evening News also subscribes to the picture mat service of International News Photos, Inc., the quality of which is comparable to that of the NEA mat service. The absence of The Associated Press pictures in The Evening News has in no way impaired the competitive position of The Evening News in relation to the Telegraph.

[fol. 2192] The Evening News has the largest circulation of any daily newspaper, morning or evening, in Pennsylvania outside the two metropolitan centres of the state, Philadelphia and Pittsburgh. This is true although the population of the City of Harrisburg is eighth in the state. Allentown, Scranton, Reading, Erie, Wilkes-Barre, besides

Philadelphia and Pittsburgh, have larger populations than has Harrisburg. In all of these cities, there are papers which are members of The Associated Press.

V. Hummel Berghaus, Jr.

Sworn to before me this 7th day of June, 1943.
Benj. F. Lantz, Notary Public. (Seal.)

[fol. 2193] EXHIBIT ONE

Comparative Advertising Figures for Harrisburg, Penna.

1922 to 1943 (5 Months)

Year		—Inches— Evening News		—Inches— Telegraph	
1922	Local	421,097		378,365	
	National	105,066	526,163	84,496	462,861
1923	Local	470,582		386,016	
	National	127,195	597,777	86,368	472,384
1924	Local	435,515		346,692	
	National	127,631	563,146	93,046	439,738
1925	Local	432,908		312,896	
	National	138,092	571,000	90,184	403,080
1926	Local	469,649		316,864	
	National	155,455	625,104	93,053	409,917
1927	Local	463,583		293,254	
	National	149,780	613,363	91,573	384,827
1928	Local	477,114		290,042	
	National	142,293	619,407	93,210	383,252
1929	Local	465,815		295,345	
	National	171,200	637,015	104,521	399,866
1930	Local	416,202		241,794	
	National	144,148	560,350	81,434	323,228
1931	Local	419,912		252,848	
	National	119,640	539,552	74,640	327,488
1932	Local	344,720		186,547	
	National	96,511	441,231	51,426	237,973

[fol. 2194]

1933	Local	294,526		187,812	
	National	87,606	382,132	54,152	241,964
1934	Local	305,104		212,719	
	National	98,781	403,885	72,443	285,162
1935	Local	307,286		241,360	
	National	94,016	401,302	79,011	320,371
1936	Local	334,501		209,555	
	National	101,413	435,914	84,833	294,388
1937	Local	364,185		351,848	
	National	94,016	458,201	73,074	424,922
1938	Local	340,079		327,757	
	National	71,725	411,804	52,652	380,409

EXHIBIT ONE—Continued

Year.		—Inches— Evening News		—Inches— Telegraph	
1939	Local	361,902		296,772	
	National	79,606	441,508	48,693	345,465
1940	Local	372,160		323,552	
	National	83,572	455,732	51,397	374,949
1941	Local	375,232		355,059	
	National	82,698	457,930	56,768	411,827
1942	Local	353,343		304,224	
	National	66,848	420,191	49,396	353,620
1943	Local	140,249		112,603	
(5 mos.)	National	29,981	170,230	18,184	130,787
			10,732,937		7,808,478

[fol. 2195] AFFIDAVIT OF F. W. BRINKERHOFF

STATE OF KANSAS,
County of Crawford, ss:

Having first been sworn, F. W. Brinkerhoff makes affidavit to the following facts:

My name is F. W. Brinkerhoff. I am the editor of The Pittsburg Headlight, an evening paper, and The Pittsburg Sun, located in Pittsburg, Crawford County, Kansas.

Pittsburg, according to the state census of 1942, had a population of 18,500. I estimate the present population as 20,000, the population of Crawford County is approximately 45,000. There are nine other incorporated towns in the county. Six of these are within a radius of eighteen miles of Pittsburg, either in Cherokee County, or cross the state line in Missouri. All are connected with Pittsburg by surfaced highways. Pittsburg is 125 miles south of Kansas City. The nearest towns in Pittsburg's class are Fort Scott, thirty miles north, Parsons, thirty-five miles west, and Joplin, Missouri, thirty miles southeast. The only newspapers outside of the Pittsburg papers delivered in Pittsburg by carrier or having any appreciable circulation are the Kansas City newspapers. This holds good for virtually all of the smaller towns within the Pittsburg area. The Pittsburg newspapers, The Pittsburg Headlight, afternoon, and The Pittsburgh Sun, morning, circulate throughout this area by carrier system and by rural route. The Headlight has the largest circulation in Pittsburg and in several of the towns where a carrier delivery is maintained. The Sun circulates extensively on the rural routes and of course in the various small towns. We have endeavored to so arrange our circulation so as to avoid duplication, i. e., only about ten percent of our subscribers take both papers.

Pittsburg was founded in 1876. In its early years it was merely a coal camp but it developed industrially. Coal brought about the location of zinc smelters. The town grew steadily. In ten years from its beginning it had between [fol. 2196] 4,000 and 5,000 population. In its early years weekly newspapers operated with indifferent success, but in 1887 some printers established The Headlight. The town continued to grow. A railroad project from Kansas City to the Gulf of Mexico was routed through Pittsburg.

It was made a division point and machine shops were located here. Two other railroads extended their lines to Pittsburg. In addition to its coal mining, Pittsburg became a railroad center.

The Pittsburg Headlight existed as a very slim journal for many years, but with good business management it continued to develop. Other publishers endeavored to establish newspapers but they were founded on politics and failed. In its early history The Headlight gave its entire attention to local news. It used a plate telegraph system made up in Kansas City by the Western Newspaper Union or some other service of that day. Telegraph news was sent during the night and the plates were made and sent by express to Pittsburg. This was a common practice among Kansas papers of that day. Afternoon newspapers would have several columns of telegraph news of the day before—twenty-four hours old before it was printed. About 1904 The Headlight applied for membership in The Associated Press and obtained it. Its first service was a skeletonized report of 500 words. All of the earlier Associated Press papers of Kansas had about the same service. The report was served by telegraph, delivery being made from the commercial telegraph offices by the telegraph companies. Having this service gave The Headlight a real boost, materially increasing its circulation. In 1913, it installed the leased wire service, being the first newspaper in the state outside of Topeka and Wichita to have a leased wire operator in its office. This was appreciated generally and increased The Headlight's circulation. In 1914, The Pittsburg Sun was started. Suspended after a few months of free circulation, it was revived in about two years by the same publisher as a more pretentious sheet, although at first it was circulated free. It was entirely local but in a year or so a telegraph report of one [fol. 2197] of the commercial agencies was installed, and for a while it had either the International News or the United Press. It continued to grow but was not financially prosperous. After about two years it applied for Associated Press membership. The Headlight protested, on the ground that the field did not justify it and because the paper could not live, nor afford to pay its assessment. Nevertheless, The Sun was elected to membership in July, 1917, and it was real competition between The Headlight and The Sun for advertising and for circulation. Although it changed management, The Pittsburgh Sun was unable to get on a paying financial basis. The Headlight continued more or less pros-

perous. In other words, the fact that The Sun had an Associated Press membership did not make it a solvent newspaper.

In 1927, the publishers of The Headlight purchased The Sun and from then both papers were published in one plant and have been so published ever since. This is necessary economic business management.

In any given field, the success of one newspaper as checked against the lack of success of another depends to a far greater extent on the ability of the publisher than on the possession of a superior telegraph news service. In the smaller cities, the quality of the local news is of far greater importance in determining the success or failure of a newspaper.

I know this to be a fact. The Associated Press is composed of hundreds of newspaper publishers having two obligations to their cooperative organization—first to promptly supply the news of their community to The Associated Press; second, to pay an assessment to meet the operating expenses of gathering and distributing the news. The plan has been successful because of honest cooperation. The better the cooperation, the more able The Associated Press is to furnish its members with news extending over the entire world. Made up of members of all sizes, divergent business interests, of every variation of politics, no clique can run it. This is a strong appeal to the smaller member. [fol. 2198] While a small member generally depends mostly on local news, it must have some outside news, and that should be news that is of big importance and stated factually with honest accuracy.

The smaller papers naturally comprise an overwhelming majority in the membership and most of them are able to have only one press service for outside news.

The members by cooperation have built up a source of newspaper publishers that obtains and furnishes news to each other and through their cooperatives, the smaller papers are entitled and secure the world news which otherwise they could not afford to have and yet which is the right of the rural reading public.

Except for this cooperation, nearly every Kansas newspaper would be a purely local newspaper with a telegraph news of world events and possibly of events at Topeka, the state capital. Practically no Kansas newspaper could afford to gather news all over the state. I doubt if they could afford to band themselves together and alone carry on a

cooperative system of their own. The cost of transmitting the news would prohibit such a course. The utilization of Associated Press wires and machines is a commanding factor in the Kansas Associated Press news service.

There are twenty-eight afternoon newspapers on The Associated Press leased wire and six morning newspapers. This gives to every afternoon Associated Press member in Kansas twenty-eight staff correspondents and to each of the morning papers six staff correspondents. These practically cover Kansas. They take the news that originates in their localities which is of more than local value and contribute it to the day or to the night state news service. If there is a murder in Crawford County, an airplane wreck, or a prominent citizen dies, a story promptly goes out of Pittsburg on our Associated Press sending wire and into twenty-seven other newspapers in Kansas. Many of the offices have sending machines. Where there are not senders; [fol. 2199] The Associated Press members either telephone or telegraph their stories to the Kansas City office from whence they are distributed throughout the state. Thus the Kansas newspapers obtain a real Kansas news service of real state news of all kinds.

We Kansas publishers by hard work have developed this news service to a high degree.

Another benefit to us in Kansas of Associated Press membership is the gathering of election returns. Kansas has no central election office. The newspapers in order to obtain the returns before the returns are officially made must go out and gather the returns from the precincts. Our Associated Press in Kansas has developed its system of gathering election returns to a point where they are fairly complete for the whole state a very few hours after the polls are closed. Any delay is due to the slowness of the counting, not to our member's sending the returns after the precinct votes are in. For this purpose the state is divided among The Associated Press members. Pittsburg is responsible for Crawford and Cherokee counties, they being in the territory of The Pittsburg Headlight and The Pittsburg Sun. In addition, these papers bear a share of the expense of covering other Kansas counties where there are no Associated Press newspapers.

In addition to the Associated Press newspapers on the leased wire, there are fifteen or twenty papers that get only the telephone service or a brief telegraph report from The

Associated Press. These members have the same responsibility of protecting The Associated Press on stories originating in their territory, and they discharge their duty.

There is no telling when a small town member may discover news of state importance, and news of state importance is of far more interest to our readers and in building up circulation, than national news, except the high spots. An instance: Friday night, January 29, while traveling on the highway, I and some companions came to a car that had struck a parked truck. The sheriff of Neosho County, that [fol. 2200] joins Crawford County on the west, was dead at the wheel. Three of four men with him were terribly injured. The fourth was dazed. The scene of the accident was approximately half way between two county seat towns thirty miles apart. Having done what we could for the injured, I obtained from the uninjured man such details as he could give. On reaching Yates Center in Woodson County —I did not wait to get to Pittsburg, ninety miles away—I telephoned the news to my office at Pittsburg where a staff was working on the Pittsburg Sun (morning paper). It was promptly put on The Associated Press wire and went outside. Of course news of this sort is big state news in Kansas. It appeared in the Kansas City morning newspapers and in the morning newspapers throughout Kansas. The story, as sent out from our office, was given to all of The Associated Press afternoon newspapers on Saturday.

Owing to the extremely bad weather conditions and the isolated location, it is entirely probable that the morning papers might have missed the story. But if that had happened, the story would have been supplied to all of the afternoon papers the next day, either by the Iola (AP) Register of Allen County, the town to which two of the injured men were taken, forty miles away, or by the Chanute (AP) Tribune in Neosho, the home county of the sheriff and his fellows.

This unfortunate incident typifies the value of The Associated Press to its small members by illustrating the zeal with which they uniformly act to assist their cooperative association.

(Signed) F. W. Brinkerhoff.

Sworn to and subscribed to before me this 9th day of June, 1943. (S.) Bertha Carlyon, Notary Public. (Seal.)

115—2891

[fol. 2201] AFFIDAVIT OF R. A. CLYMER

STATE OF KANSAS,
County of Butler, ss.:

R. A. CLYMER, first having been sworn, on his own personal knowledge of the facts, makes this affidavit:

My name is R. A. Clymer. I am the editor and manager of the El Dorado Times, a daily evening newspaper published in El Dorado, Butler County, Kansas, and I have been such editor and manager for over twenty-three years. I have been actively engaged in the newspaper business as a publisher and as my means of livelihood for thirty-six years. My experience is as follows: Reporter and city editor of the Emporia, Kansas, Gazette; editor and manager of the Olathe, Kansas, Register; editor and manager El Dorado, Kansas Republican; editor and manager Santa Fe, New Mexico, New Mexican; president of the Kansas Editorial Association.

The El Dorado Times, a defendant in this suit, is a small town daily in a town of about ten thousand population with a county population of approximately thirty thousand. Its daily circulation was 5,175 as per government statement of October 1, 1942. It is a member of The Associated Press, and has been continually since December 1, 1919, taking what is commonly termed "the pony report." By pony report I mean five hundred words per day by telegraph.

The El Dorado Times is the result of a merger of the El Dorado Republican and the Walnut Valley Times which took place on December 1, 1919. At that date I was the editor and manager of the El Dorado Republican.

Careful business management is essential to the success of a newspaper whether in a large city or in a village. The Times is the only Kansas paper of its size in a town as large as El Dorado that relies on a pony report. It can and does do this only because it follows the policy of studied economy, of making its paper intensely local in content and because from twenty-three years experience it knows that it can rely [fol. 2202] with confidence for its outside news upon its Associated Press report.

Due to The Associated Press' non-profit character, the Times' weekly assessment now totals $33.15 for all services, that is to say, a five hundred word daily report by telegraph and features which include spot and regular photo mats,

serial story, sport features, "dress-ups" for holidays, women's page illustrations and briefs and fillers. This figure does not include overhead expansions of stories which the Times is able to secure when in its judgment they are worthwhile, either by telephone or telegram from Wichita, Kansas, our nearest Associated Press branch office. The Times is promptly and adequately supplied with additional articles by mail at no extra cost.

Competing services have several times tried to interest us in their reports, but the figures were not less than the Times was paying and such extra service is not needed, and it would be an economic waste to subscribe to another service that at best could be no more than a duplication of what we are receiving from our own cooperative.

Moreover, as a subscriber to any other news service, the Times would be restricted to such features as have not been gobbled up by larger papers, while as a member of The Associated Press, it can now obtain any features which AP controls and features are of prime importance in the publication of our paper.

Being a rural community, the El Dorado Times is not financially able and lacks the facilities for news gathering on a national or a world-wide scale that metropolitan papers have. Therefore it must depend either upon The Associated Press or upon one of the privately-owned commercial news agencies.

Because of the cooperative policy of The Associated Press, the Times through its membership is an integrated part of a newsgathering organization which my experience has shown to be highly efficient. Although a small paper, [fol. 2203] the Times has its voice and vote in the management and policy of The Associated Press. By way of carrying our part of the load, the Times shares its report of events of more than local importance immediately. We do not hold it until our paper goes to press; it is put on the wire just as soon as we get it, so that all of our fellow members may promptly use it if they wish. From daily observation and profitable experience, we know that our fellow members are doing the same thing for the El Dorado Times. Thus we have found the service complete in every region. Moreover, The Associated Press can and does protect us immediately night and day on extraordinary occasions, such as major war developments (North African invasion), news developing during the night, coal strikes and many other events of

prime importance. President Harding's death may be cited as a case in point. This in itself affords a substantial measure of assurance and satisfaction that we will at all times have such news from the outside world as may be of reader interest to our subscribers.

It is of greatest possible importance to a small town paper that what it publishes as news be truthful and accurate. If it loses its reputation for being truthful and accurate, it is ruined. Its subscribers read their paper thoroughly and critically. It is something personal and a factor in their daily lives.

Illustrating the value of our membership in The Associated Press, in 1918 there were two daily evening newspapers in El Dorado; the El Dorado Republican, a member of The Associated Press, and the Walnut Valley Times, served by one of the commercial news agencies. On November 7 the latter broke on the streets with an extra, announcing that an armistice in the World War had been declared. The Associated Press refused to confirm this statement. The report occasioned the greatest confusion and anxiety. When the armistice was actually signed, November 11, our Associated Press was the first to announce it. Therefore it was entirely natural that with this confidence in Associated [fol. 2204] Press reporting, when the two papers were merged in 1919, we retained our membership in The Associated Press and dispensed with the other service.

While a politically partisan paper, the Times knows from experience that it can rely upon the Associated Press brief, factual report of political events as being accurate. This holds true as to The Associated Press report in the field of all other controversial subjects. Obviously the Times could not afford foreign correspondents, nor could it send a representative to Washington to sit at the presidential press conference or to observe Congress, nor to describe World Series baseball games.

Experience over a period of twenty-three years has demonstrated that for news outside of our locality, and of state, national and world scope, we can best serve our family of readers by the cooperative method. That is why the El Dorado Times is a member of The Associated Press and why it and its staff has labored for twenty-three years to upbuild and maintain The Associated Press, and why it has paid its assessment over that period of time. Affiant has found that there is a real, if intangible, benefit derived

from a membership in a cooperative association of first rate reputation the vast majority of whose members are also small papers.

R. A. Clymer.

Sworn to and subscribed to before me this 4th day of June, 1943. Gene Gardner, Notary Public. (Seal.)

[fol. 2205] AFFIDAVIT OF J. H. CROTHERS

STATE OF CALIFORNIA,
County of Humboldt, ss:

J. H. Crothers, first having been sworn, deposes of his personal knowledge of the facts herein set forth as follows:

My name, is J. H. Crothers, residence Eureka, Humboldt County, California.

I have been continuously in the newspaper business for a great many years. From 1895 until 1910 I was with the San Francisco Bulletin, the last five years as Business Manager. I then came to Eureka and have been associated with the Humboldt Times since then as Editor and General Manager up to the time of the consolidation of the Humboldt Times "a morning paper" and the Humboldt Standard "an evening paper." Then Mr. Don O'Kane was appointed general manager and I was made president of the corporation—The Eureka Newspapers, Inc.

Humboldt County is somewhat isolated, being a considerable distance from any larger centers of population. It is approximately 250 miles from San Francisco and 450 miles from Portland, Oregon. The county has a population, according to the last official census, of 45,812. Eureka's population is 17,055. The principal industries are the Redwood Lumber, employing approximately 8,000 men; extensive dairying; stock raising, including sheep; a well-equipped woolen mill, producing at present blankets and cloth for the government; two small ship building plants, Chicago Bridge Company, building dry docks for the government and employing 2,100 men; there is quite a commercial fleet of fishing boats shipping from here to New York and to other points throughout America.

The Humboldt Times began publication in 1852. It has been a member of The Associated Press since shortly after

1900. It is published mornings, except Mondays when no issue is printed. Two years ago it subscribed to the International News Service also.

[fol. 2206] The Humboldt Standard began operations in 1872. Until November, 1913, it did not have a membership in The Associated Press. At that date it consolidated with the Evening Herald, a paper then published here in Eureka. In 1922 the Humboldt Standard dropped The Associated Press service and subscribed to the United Press service. It has been publishing with that service alone up to now. During the last 20 years or more, the Standard was a strong competitor of the Times, and succeeded in holding an equal, and at times a higher circulation than the Times. On May 1st, 1941, the two papers consolidated and according to the Audit Bureau of Circulation report at that date, the Standard had a daily average circulation of 6,879 and the Times a daily average of 6,399. Since the time that the Standard purchased the Herald and the Herald thereby was discontinued, there have been only two newspapers in Eureka.

During the entire period since 1922 an evening membership in The Associated Press has been available to any newspaper that might care to subscribe but the publishers of the Standard have not seen fit to do so, feeling the United Press is entirely adequate.

The Humboldt Times derives a real and substantial benefit from its membership in The Associated Press. It receives several thousand words and worldly news daily and it can depend upon such reports being honestly made and accurate. Of course, the Times prints only a very small percentage of this daily report, but it is afforded an opportunity to select the news most interesting to its readers. A small town newspaper depends, to a greater extent, on local news or news pertinent to its territory. However, its readers insist upon having, and are entitled to, daily reports of the outside news of the United States and of the world. By the time such reports reach the Humboldt Times they have been filtered, so to speak, so that in an abbreviated form they bring the facts from which the Times can select what is of reader interest. It depends on valuable features. [fol. 2207] With this service added to the news gathered by our local staff, we are able to give to our readers a selected news service that is not surpassed.

That a newspaper properly edited and managed can be a first rate and successful newspaper without having a mem-

bership in The Associated Press is clearly demonstrated by the history of the past twenty years of the Humboldt Standard which had had only the United Press News together with several independent features such as King Features, United Features, N. E. A. and several others of which are valuable to any newspaper.

(S.) J. H. Crothers.

Sworn to and subscribed to before me this tenth day of June, 1943. (s) Marian Townsend, Notary Public. (Seal.)

[fol. 2208] AFFIDAVIT OF HARRIS ELLSWORTH

DISTRICT OF COLUMBIA,
City of Washington, ss.:

Harris Ellsworth, having been duly sworn, on his own personal knowledge of the facts, makes this affidavit:

My name is Harris Ellsworth. My residence is in Roseburg, Douglas County, Oregon. I am secretary, editor, and general manager of the News-Review Company, which corporation publishes the Roseburg News-Review, a newspaper published every evening except Sunday.

I graduated from the University of Oregon School of Journalism in 1922, and immediately upon graduation became the advertising manager of the Eugene Register in Eugene, Oregon. In 1925, I became the business manager of the 4-L Lumber News, a lumber industry publication published in Portland, Oregon. In 1928, I was made secretary and field manager of the Oregon Newspaper Publishers' Association, with offices in Eugene, Oregon, and coincidentally with that employment, served as an associate professor in journalism in the University of Oregon School of Journalism.

March 1st, 1929, I became associated with Mr. Frank Jenkins and Mr. Ernest Gilstrap in the purchase of the Roseburg News-Review and have been the secretary of the publishing corporation and editor and manager of the Roseburg News-Review since that time.

The City of Roseburg, which is located 200 miles south of Portland, Oregon, has a population of approximately 6,500. It is located in the center of a large farming and

lumbering area. The population of Douglas County, which is the trade area served by the Roseburg News-Review is approximately 32,000. The circulation of the Roseburg News-Review averages 3,700 daily, some 1,500 of this circulation being in the City of Roseburg, and the remainder circulated throughout the county by mail.

The Roseburg News-Review has been a member of the Associated Press since 1921 and has the full Associated [fol. 2209] Press leased wire printerized service. There is no other daily newspaper in the City of Roseburg. However, a weekly newspaper is published there, and there are several weekly newspapers in various towns in Douglas County.

The News-Review is a complete small-town newspaper carrying, in addition to news from the Associated Press leased wire, features, comic strips and news pictures furnished by the Newspaper Enterprises Association, and some feature material obtained by mail from the Associated Press. In addition to three news staff people, the News-Review has 17 rural correspondents, covering the outlying area in Douglas County.

Just as we cover our city and county with staff men and paid correspondents, we obtain our coverage of the rest of the world through our membership in the Associated Press. The Roseburg News-Review is an integral part of this cooperative news-gathering association known as the Associated Press. The News-Review has a sending keyboard on its teleprinter machine. We immediately transmit to all other Associated Press members news of general interest developing in our area. Likewise, we promptly receive news transmitted to us in the same way from the other members. Associated Press members in Oregon and Washington have their own local organization, and determine, by their own vote, numerous matters in connection with the gathering and distribution of news and pictures in those two states. For example, when the National Guard troops were mobilized, at one of our meetings we decided to employ a full-time correspondent to be located at Fort Lewis, Washington. This was done, and the cost thereof was added to our weekly assessment. About a year later, it was determined, at a meeting of the members, to discontinue this service. Similarly, methods of payment to correspondents in our two states have been changed from

time to time to meet changing conditions or to improve the service.

[fol. 2210] Similarly, in the national organization, we are entitled to a voice in determining all matters in relation to the operation of the Associated Press, including the election of its officers. As a small newspaper, we are assured of having a voice on the Board of Directors by reason of the by-laws of the Associated Press requirement that at least three of the directors of the Associated Press shall represent newspapers published in cities of less than 50,000 population.

I have been frequently solicited by representatives of privately owned press services, namely the United Press and the International News Service, and am very familiar with their methods of operation and with their contracts. Both of the other news services mentioned are good services, but I prefer the Associated Press because it is a cooperative and is well managed. Furthermore, I know that I have a right to raise my voice toward the improvement of the service, or the management of the organization, at any time I so desire, and I exercise this right.

Only recently we were actively solicited by the United Press to contract for its service. I gave very serious consideration to making the change to United Press, but did not do so, principally for the reasons of my preference for Associated Press outlined above.

The Roseburg-News-Review does not, at this time, have a daily competitor, but if a competitor should enter the field, he could be well served by the United Press, or if I had decided to change to United Press, such a competitor could be served by the Associated Press. In making my decision to continue with Associated Press rather than changing to United Press, I was never at any time concerned with the problem of what a competitor might do. From that standpoint, I know that I could compete as well with United Press wire service as I could with Associated Press. I would never at any time want a competing newspaper to have the same identical wire news service, feature service or reporting service as that used by my own paper. [fol. 2211] A newspaper, to be successful, must have its own identity and be able to be proud of its product as something of its own making. We would no more, for example, want a competitor to use our wire service than we would

want him to use carbon copies of news stories written by members of our staff, nor would we want to use his wire service or news written by his staff members.

It is absolutely essential that a small daily newspaper have a reliable wire news service. I feel that the Associated Press is such a service, and was made so and is kept so by reason of the fact that it is entirely a cooperative enterprise to which I and all of the other members contribute as news-gatherers, and in which I and all of the other members have a voice in management and operation.

(Signed) Harris Ellsworth.

Sworn to and subscribed to before me this 17th day of June, 1943.

(Signed) Eva M. Young, Notary Public.

[fol. 2212] AFFIDAVIT OF HARRIS ELLSWORTH

DISTRICT OF COLUMBIA,
City of Washington, ss.:

Harris Ellsworth, having been first duly sworn, makes this affidavit:

Since March 1st, 1929. I have been editor and manager of the Roseburg News-Review, a newspaper published daily except Sunday in Roseburg, Oregon.

Before entering the publishing business at Roseburg, I served one year as associate professor in journalism at the University of Oregon, and at the same time was manager of the Oregon Newspaper Publishers' Association. Prior to that time, for a period of three years, I was business manager of the 4-L Lumber News, a lumber industry publication, published in Portland, Oregon.

I have held various offices in the Oregon Newspaper Publishers' Association, including one year as president. I also served one year as president of the Oregon Press Conference.

I have read affidavits made by Alfred McClung Lee, and have studied exhibits prepared by him in connection with the suit now pending against the Associated Press, et al.

Certain general statements made by Mr. Lee in his affidavit, dated May 20th, 1943, are obviously accurate.

I quote from Mr. Lee's affidavit:

> "In view of the bearing of news and advertising information upon all kinds of decisions and actions by the American people, it is therefore a matter of vital importance to the national welfare that the American people should be able to obtain fresh, accurate, and world-wide news of current events and conditions through the means of newspapers and especially of daily newspapers."
>
> "No single newspaper, however large and powerful, has been able independently and by means of its own [fol. 2213] staff during the past three decades to gather and transmit to itself the outstanding news events of the entire world."

The problem of obtaining fresh, accurate and world-wide news has long been a difficult one for the newspaper publishing business. As so clearly pointed out in Mr. Lee's statements quoted above, it was necessary that this problem be solved in the best possible manner. Down through the years, various plans have been devised, organizations formed, and news services developed. The cooperative organization, known as the Associated Press, was established by a number of newspapers to meet the need for adequate news coverage. As the result of able management and sincere cooperation by the membership, this cooperative has been outstanding successful. Other privately owned news gathering and distributing services have also succeeded, but the cooperative feature of the Associated Press has appealed to more publishers. Hence, as shown by Mr. Lee's exhibits, the Associated Press is now serving more newspaper readers than is any other news service.

I cannot agree with the premise apparently taken by Mr. Lee that the various wire services represent different shades of thought, and carry in their daily news report different interpretations or colorings of news events. News may be considered a product of known ingredients, the ingredients being the plain facts of events as they transpire. Whether this product is furnished by the United Press, the International News Service, Trans-Radio Press, or the Associated Press, the ingredients are the same. The

American style of news writing now in use is not only taught in schools of journalism, but is generally used by all news men who write straight news. Columnists and other "by-line" writers are not bound by this style, but such newspaper copy is not under consideration in this statement.

[fol. 2214] The content of the present-day newspaper is very definitely and clearly divided into departments which may be classified under the headings: Straight news, features, editorial comment, and advertising.

The straight news is written objectively and without regard to interests involved. The facts are set forth with such amplification as deemed necessary in accurate and complete reporting.

The editorial comment expresses the views of the editor or writer. In nearly all newspapers, the editorial opinions and the editorial policies of the newspaper exert no control whatever on the columns devoted to straight news. To illustrate this point, I cite the experience of the political campaign of 1940. A great many daily newspaper editors were bitterly opposed to President Roosevelt, and so stated emphatically in their editorial columns, but the news of the campaign published in the straight news columns was a complete and accurate report of the speeches and activities of all candidates.

The features classification includes special columnists, cartoons, comic strips, household hints, etc. This material is obtainable from various syndicate organizations and employees of the paper, and the selection of this material for reproduction in newspapers is made in accordance with the views and preferences of the editor.

The advertising columns contain information sponsored by the business community, local, regional and national.

When Mr. Lee states in his affidavit, "For current information, however, Americans must depend—other than for brief bulletins—upon the daily newspapers, and the rapidly decreasing competition in the daily newspaper field is fast narrowing the number of publics that are satisfactorily thus served in each publication area", he totally ignores, for the purposes of his argument, the fact that radio news broadcasts are available to a very high percentage of our total population, and that these broadcasts are complete and frequent.

[fol. 2215] Also for the purposes of his argument, Mr. Lee draws an unwarranted conclusion regarding the use of features. He states:

> "Others, among whom I am numbered, point to the correlation between the rise of unified control of dailies in so many of our cities and the increase in non-controversial circulation "bait" in an economic or political sense in daily newspaper columns. The latter makes it possible to substitute comic strips, motion picture gossip, fiction, sports news, sensationalized murder stories, and sensational foreign news for more adequate and representative national, state and local news and views. Of these tested circulation-getting ingredients for a modern non-competitive daily newspaper, only the sensational foreign news has direct bearing upon public policies of any great political or economic significance, and in this area governmental controls are necessarily now operative."

Every newspaperman knows that competition, and not the absence of it, has forced the wider use of the so-called "bait" which Mr. Lee mentions. The inclusion of such features in a modern newspaper is additional, and not, as stated by Mr. Lee, a substitute. The successful existence of any daily newspaper depends upon its complete, timely and accurate coverage of world, national, state and local news. No daily newspaper can exist for long without such news coverage, no matter how much or how excellent the feature content.

Mr. Lee's statement above that, "only the sensational foreign news has direct bearing upon public policies of any great political or economic significance, and in this area governmental controls are necessarily now operative", is obviously absurd. Complete reporting of all political and economic news is found in nearly all daily newspapers every day. News of OPA, WPB, and the other governmental organizations is printed. News of the doings of [fol. 2216] Congress and of the Executive is printed. News of court decisions and of significant court actions, wherever they occur, is printed.

Mr. Lee makes a substantial amount of his argument around his own assumption that newspapers, particularly several newspapers in a single field, differ from each other

from the standpoint of "versions and selections of the facts adequate to satisfy the interests of all significant publics". It is a fact which may be verified by anyone who will take the trouble to purchase all of the papers published in his city on any given date that, so far as the straight news is concerned, there is very little difference in the selection and version of the news facts presented by the several papers.

A few publications bearing a general resemblance to newspaper format are published by special groups, such as the labor organizations, the Townsend Clubs, etc., wherein the "news" is tailored to fit the interests of the group concerned. I do not consider such a publication a newspaper, as the term is used in this statement and the statement made by Mr. Lee.

The Lee affidavit places great stress upon the fact that the number of daily newspapers published in the United States is decreasing, and apparently attempts to show that this is due to the fact that the Associated Press is a successful institution. The fact that the percentage of cities having only one daily newspaper has increased seems also to be laid on the doorstep of the Associated Press, and seems also to be considered by Mr. Lee a very bad trend for which the Associated Press is responsible.

When a newspaper ceases publication, either by complete suspension or as the result of consolidation with another newspaper, any one or several of a great many factors may cause such a development. The largest single influence toward elimination of daily newspapers, especially in the smaller fields, is the business community whose advertising pays most of the cost of publishing the newspapers. I know of instance after instance on the West Coast where con- [fol. 2217] solidations have been effected as the result of insistence, either directly or indirectly, by the advertisers.

I am intimately acquainted with the facts underlying the consolidation of several newspaper fields in the State of Oregon, which resulted in these fields each being served by one strong newspaper, and I do not know of a single one wherein the wire news service used by either one had the slightest bearing on the transaction. However, it has happened that a great many consolidated newspapers have chosen to use the Associated Press news service rather than any other, thus increasing both the total circulation of AP newspapers and the number of cities served only

by the Associated Press. In any consolidated field now served by only one newspaper, it is entirely possible for a competitor to begin the publication of a daily newspaper there. The least of the problems he faces when contemplating such a venture is the question of a wire news service. He has several excellent services to choose from. His greatest problem, of course, is to secure enough revenue from advertising and from the sale of subscriptions to make the venture pay. Mr. Lee has made the inference in his affidavit that newspapers have deliberately increased the cost of production for competitors and unreasonably decreased their return from publishing. Having had practical experience, so far as this subject is concerned and so far as small daily newspaper fields are concerned, I can say of my own knowledge that this charge made by Mr. Lee is not true. He might cite a limited number of individual examples, but I refer now to newspaper publishing in general. There has been little difference in cost in the last twenty years so far as the physical part of entering into competition with an established newspaper is concerned. The principal change that has taken place in the small daily fields, tending to make daily competition difficult, is the unwillingness of the local advertisers to pay double for advertising coverage of their retail area.

I now quote the final paragraph and summary in the Lee statement as follows:

> [fol. 2218] "Huge and complex newsgathering agencies have thus become a necessity for daily newspaper operation, but they should not be permitted—through special arrangements with existing dailies—to aid in creating a steady trend towards local non-competitive daily newspaper situations and to make it practically impossible to initiate new profitable ventures in the daily newspaper field."

In the above statement, I hold Mr. Lee to be entirely correct, but if he means to imply that The Associated Press is aiding in creating a steady trend toward local non-competitive daily newspaper situations and to make it practically impossible to initiate new profitable ventures in the daily newspaper field, he is entirely wrong, as I believe the facts set forth in my foregoing statement tend to show. As a practical newspaperman with many years' experience

in publishing a small daily newspaper, I know that the organization and operation of the Associated Press has had nothing whatever to do with the trend toward local non-competitive daily newspaper situations, and that such trend is due almost entirely to local economic reasons, which reasons could not possibly be effected by any wire service. I also know that some other adequate wire service may be obtained, and that, therefore, the Associated Press cannot be considered a restraint to free competition in the daily newspaper publishing business.

(Signed) Harris Ellsworth.

Subscribed and sworn to before me this 17th day of June, 1943. Eva M. Young, Notary Public. (Seal.)

[fol. 2219] AFFIDAVIT OF CHARLES A. GUY

STATE OF TEXAS,
County of Lubbock, ss:

Charles A. Guy, first having been sworn, on his personal knowledge of the facts, makes this affidavit:

My name is Charles A. Guy. Since January of 1930 I have been editor and publisher of the Lubbock Morning Avalanche, the Lubbock Evening Journal, and the Lubbock Avalanche-Journal, (Sunday). My newspaper experience extends over a period of approximately 23 years, during which I have been engaged largely in editorial work and in the direction of others doing editorial work. I started as a part-time cub reporter on the old Tulsa Democrat when a high school lad. Later, I went to the Tulsa World, covering high school sports. Upon two different occasions I worked on the staff of the El Reno, Okla., American as a reporter and also did editing. I was a sports correspondent for the Daily Oklahoman, Oklahoma City and later a general news correspondent for that publication and its afternoon companion, Oklahoma City Times. At Bristow, Oklahoma, when oil changed that small town into a booming city, I worked on the Daily Record as sports editor, reporter and also edited some copy. I came to Lubbock, Tex., on January 4, 1924, as associated editor of a weekly paper called The Plains-Journal, and have been en-

gaged in the newspaper business here since that time, successively as editor of The Plains-Journal, editor of Lubbock Evening Journal which grew out of The Plains-Journal in 1925; as editor of Lubbock Morning Avalanche from September, 1926, when it was purchased by Lubbock Evening Journal. In addition to my editorial duties I took over the position as publisher, as well as editor, of Avalanche-Journal publications in January of 1930.

In addition to my interests in Lubbock, I have financial interests also in the Amarillo News (Morning) the Amarillo Globe, (Evening), the Amarillo News-Globe, (Sunday) all of Amarillo, Texas; and also have financial interests in the [fol. 2220] El Paso Times (Morning and Sunday) of El Paso, Texas. I am a member of the boards of directors of the papers herein listed in Lubbock, Amarillo and El Paso, Texas, and am vice-president of the El Paso Times. I am 41 years old and all my adult years have been spent in the newspaper business.

Since 1926 I have not missed a meeting of the Associated Press editors of Texas, including not only annual meetings, but special called meetings as well. These meetings are held in order that members and editors may receive reports from the Associated Press staff in Texas; may discuss their mutual problems; may shape development of news collection and distribution in the best interests of the papers affected. In short, they are business meetings for the maintenance of the Associated Press organizations in other states, and for the mutual exchange of ideas concerning how the Texas newspaper reading public may be better served by its newspapers, individually and collectively.

For the past 10 years I have served the Texas Associated Press editors' group as chairman of its single-wire group and as such chairman preside over meetings of that group which embraces about 40 of the small city daily papers of Texas. A single wire paper, as distinguished by the Texas Associated Press editors association, is one which is served by a single leased wire by the Associated Press which delivers approximately 35,000 words per day, and/or night, to each individual member paper. I think I know, as a harness Associated Press editor and one long active in Associated Press affairs, the general Associated Press picture the nation over. I know I know the picture in Texas. Therefore, I have no hesitancy in saying that the single wire

papers in Texas, as well as in the other 47 states of the Union, comprise the "backbone" of the Associated Press as a national news collecting and disseminating agency on a mutual, co-operative basis.

[fol. 2221] As an example of how policies are shaped by members and editors in state meetings, I submit the following from the record:

In 1938, the Texas Associated Press editors association met for its annual meeting in Waco. At that time I proposed an earlier opening hour for the day wire serving afternoon single wire point papers. I argued that since the first hour or more of the wire each day was given over to rewrites of overnight sports and some general news, that matter would be as readily available at 6 a.m., daily, as at 7 a.m., the then opening hour. Discussion was long, and pointed. Arguments were heard on both sides. A vote was taken and my proposal was buried under an avalanche of "nays." I, however, was not satisfied to let the matter rest there. Neither were the half dozen or so other editors who saw the suggestion as I did. For the next four years we continued our study and at each annual meeting further discussions were held. At the last state meeting, held in February, 1943, in Dallas, Texas, the earlier opening hour was voted by a majority as overwhelming as that which defeated the first proposal in 1938. Today, with the 6 a.m. opening in vogue, there is not a single known critic of the plan. This illustrates, perhaps, the slowness of co-operative operation. But, what is more important, it illustrates the fact that the Associated Press in Texas, as elsewhere, is a mutual, co-operative organization run by and for its members and editors in which the majority must not only be heard but positively satisfied.

While my interest in Associated Press affairs naturally has been primarily bounded by the borders of Texas, that interest by no means is confined to the Associated Press as it functions in Texas. From time to time I have aided in Associated Press affairs in the national field, more especially in Washington, and upon one occasion I attended a national meeting of Associated Press staffers, members and editors. The national meetings are held annually in peace-
[fol. 2222] time; perform for the nation as a whole the same duties which state meetings perform for each individual state.

From time to time, usually twice annually, it is my policy to go to Washington and to Austin, the state capitol, in each of which places the Associated Press maintains a large and able staff. Under the Associated Press methods, there is available to me, and to every other member paper, special coverage by Associated Press staff members.

Members are urged—to ask for special protection by Associated Press staffers in both Washington and Austin, as well as elsewhere over the nation. This special news coverage permits the smaller Associated Press papers, such as our own, to get local and sectional news angles quickly and cheaply. In fact, without such arrangement we could not possibly serve our readers to the extent we serve them today—and have served them for years, thanks to our own, co-operative, non-commercial news collecting and disseminating organization.

Another example of the co-operative background in the Associated Press:

In Lubbock, the city in which I live and am actively engaged in day-to-day newspapering, we have a large state educational institution known as Texas Technological College. This college, prior to the war, had a widely known and highly publicized football team which played games from border-to-border and coast-to-coast. Usually, one of our own sports writers accompanied the Tech team wherever it played. However, upon occasions, illness or office problems made such trips impossible for a member of our staff. Under those conditions, we made advance arrangements with Associated Press offices, or member papers, in the far-away cities where games were played and received from these sources complete reports of the games—sometimes play-by-play reports as well as general roundups—at no cost to us other than wire charges. On the other side of the picture, we have performed similar services for other papers interested in games played here between Tech and [fol. 2223] other colleges far-removed from Texas. Although our membership in the Associated Press requires that we cover for it all important news occurring only within a 30-mile radius of Lubbock we have never measured miles in connection with our file. We frequently go much farther afield, normally cover a 100-mile radius and, upon occasion, have reached over hundreds of miles into neighboring New Mexico to cover for the Associated Press. We have done this on Sunday nights, for instance, despite

the fact that we do not print a morning paper on Mondays and the news involved—which we cannot print until Monday afternoon—comes into Lubbock by train from Fort Worth on Monday mornings.

We do this because all over the United States members of the Associated Press are doing the same thing and only by such unselfish operations on the part of all can the Associated Press continue to give its unique and unapproached news coverage to members everywhere.

Any fundamental changes in Associated Press co-operation which would rob its members and their circulation areas of the benefits of this kind of mutual effort would seriously damage the value of the Associated Press to our newspaper.

A sound business policy is the keystone of the success of Avalanche-Journal newspapers. As well as of the other newspapers with which I am associated. The non-profit character of the Associated Press is one of the greatest assets membership in the organization offers. At the present time, the over-all Associated Press assessment for Avalanche-Journal newspapers, morning, evening and Sunday, is $148.25 weekly. This covers not only the Texas wires service from 6 a.m. to 1 a.m. each 24 hours, but also extra services including Texas legislative and sports; morning and evening national feature services with mats; telemats (pictures from wirephoto),

The affiant has had in the past and has at this time, dealings with one of the commercial news disseminating agencies, namely, United Press.

[fol. 2224] Lubbock Morning Avalanche (including Sunday) was founded in 1922 by one James L. Dow. At that time, it was the only newspaper in Lubbock. In 1926, affiant and his associates purchased Lubbock Morning Avalanche from Mr. Dow, consolidated it with our Evening and Sunday morning Journal into the present, round-the-clock, morning-evening-and-Sunday newspaper service. At the time we took over Lubbock Morning Avalanche it was being served by United Press' night wire, then called United News, although the morning Associated Press membership was open.

One of our first moves after acquiring the morning paper was to secure the night Associated Press membership and drop United News after negotiations with its owners. We

sought and received the night Associated Press membership because we felt it was the better service for us, although the preceding owner did not think so. United Press at that time was filing to Lubbock Morning Avalanche out of its Kansas City, Mo., bureau; Associated Press filed out of Dallas, Tex., and had a much greater coverage in Texas, making Texas news more quickly, easily and cheaply available to us. Four years ago, we entered into another contract with United Press, taking on its full leased wire, afternoon news report which we still receive and still use daily to supplement the afternoon Associated Press report. We consider the United Press report a good one. We know of numerous successful newspapers—one located in Sweetwater, Tex., just 120 miles south of us—which have been built solely upon United Press news reports. But we consider the Associated Press the more valuable news connection not only because it is the world's largest, and generally conceded world's best, but because it is (1) non-profit and non-commercial; (2) we have a voice in its operations and in setting its policies; (3) it affords easier, quicker and cheaper exchange of news; (4) it rewards us, and each member, for time and effort in building it up, and (5) it is a legitimate, co-operative effort, similar to other organizations in many fields of human endeavor, and through its [fol. 2225] co-operative methods of operation offers more security in collecting and disseminating the news than any other similar organization. Finally, all these elements accrue not only to the benefit of the newspaper owner and editor, but also to the reading public which, through the co-operative organization, is better served.

Lubbock Avalanche-Journal newspapers, a defendant in this suit, are published morning, evening and Sunday in a city of approximately 45,000 population in a county of approximately 60,000 population. Last government circulation figures, sworn to in keeping with the law in September of 1942, were:

Lubbock Morning Avalanche (13,489); Lubbock Evening Journal (10,019); Lubbock Avalanche-Journal, Sunday, (21,287). These figures have been increased, due to war installations and rapid growth of the city and section, by slightly more than 10 per cent.

Lubbock, city of publication of Avalanche-Journal newspapers, has enjoyed a meteoric growth over the past 20

years, rising from slightly more than 4,000 people in 1920, to its present approximate size of 45,000. Wholesale and retail center of a vast Plains area of West Texas and Eastern New Mexico, it draws normal trade from a radius of 90 miles in all directions; from 120 miles or more to the West and Southwest. It is the cultural, banking, oil, education, cattle, farming, entertainment, sports, and medical capital of this territory; has the only morning newspaper in the sparsely settled area between Wichita Falls, Tex., on the East, to Albuquerque, N. Mexico, on the West—a stretch of approximately 550 miles; and between Amarillo, on the North, and San Angelo, on the South, a distance of approximately 350 miles.

This is a pioneer country. It so happens that affiant has been a part of the pioneering effort in the upbuilding of this newspaper and its influence in this section. The Associated Press has been a part of this pioneering effort. We have put into it our resources of time, effort and money [fol. 2226] and have seen the Associated Press organization grow as our own publishing enterprises have grown with the state and area. The Associated Press, therefore, is a part of us and we a part of it. Its values cannot be promiscuously scattered without injuring its efficiency and its services to members and the reading public. Any fundamental change without the full consent and agreement of its members is vital not only to its members but to the public as a whole.

The Associated Press, through its co-operating members, has proved itself, has builded itself to a high degree of efficiency. But the field is still wide open. Others can do the same thing. They should be permitted to do the same thing. Throughout my newspaper experience I have upon many occasions suggested to fellow publishers, mere acquaintances as well as old friends, to apply for Associated Press memberships because I wanted them to share in the benefits and also because their addition to Associated Press ranks would redound to our own papers' benefits. Some have taken this advice and have become enthusiastic Associated Press members. Others have not, yet they continue to publish successful newspapers.

(S.) Chas. A. Guy.

Sworn to and subscribed to before me this 15th day of June 1943. Joreta Bardwell, Notary Public. (Seal.)

[fol. 2227] AFFIDAVIT OF EARL E. HANWAY

STATE OF WYOMING,
County of Natrona, ss:

Earl E. Hanway, being duly sworn, makes this affidavit as to the following facts:

My name is Earl E. Hanway, residence, Casper, Natrona County, Wyoming. I have been in the newspaper business since 1912, starting as a reporter on the Sterling, Colorado, Advocate, and subsequently working in a like capacity in Loveland, Colorado, Cheyenne, Wyoming, and in Merino, Colorado, as editor and publisher of a weekly newspaper. In 1914 I came here to Casper to work as the news editor of the Natrona County Tribune, a daily; stemmed from that enterprise and on that date, I became interested in the ownership, and was made business manager. I am now a co-publisher with my father in the operation and management of the Casper Tribune-Herald which is published evenings (except Saturday) and Sunday mornings. The circulation is approximately eight thousand. Associated Press leased wire service is used, also the full budget of feature services of The Associated Press, in addition we subscribe to some features and comics of King Features, Bell Syndicate and so forth.

The 1940 census gave Casper a population of 17,964. The county population is about 25,000. Its literacy is between 95 and 100%. Casper and Natrona County depend principally on sheep and cattle and oil.

The Tribune-Herald has been a member of The Associated Press since about 1919. A small weekly is its only competitor immediately in Casper; however, the Denver newspapers come into Casper every day, serving several hundred subscribers. The Tribune-Herald serves an area of about 150 miles in diameter. Its circulation is largely concentrated in that area.

A news service which extends into practically every field of endeavor and activity is one of the essentials to the life of a newspaper in performing its daily functions of pro-
[fol. 2228] viding its readers with the news of the nations of the world. Such a service not only must be good, but it is equally important that its cost is not more than a small paper can pay and still return a reasonable profit. The Associated Press, according to my experience, sufficiently fulfills this necessity. It is supplied to its members at

rates representing a fair distribution of its expenses as a cooperative, and not on a basis of what the traffic will bear for the profit of private owners.

It is in fact, not merely in theory, a cooperative enterprise. Three members of the board of directors must be elected from cities having a population of not more than fifty thousand. They represent primarily the interests of the smaller members. The vote of one of these counts as much as the vote of a director from New York City or Chicago. At the annual meetings the small members are heard and freely participate. At any time that one of us either is dissatisfied or feels that an improvement can be made, the management gives him an attentive hearing and every consideration. To have a voice in the policy and management is an incentive to make the cooperative better. We are serving ourselves and we take pride in our association. The same proprietary feeling would not apply to a personally owned, commercially managed newsgathering association.

Of primary importance to our paper and to the other Associated Press members in Wyoming is the state and regional service. In fact, it is of the highest importance. It has been established and maintained through the cooperative endeavors and the initiative of member newspapers in The Associated Press. The Casper Tribune-Herald has furthered its own interests as well as that of its fellow members by being alert in the improvement of this service. Growth and expansion of the cooperative service led to the establishment in Cheyenne, Wyoming, of a state bureau in charge of a resident correspondent. This evolution of a state news service which has also become regional [fol. 2229] in scope is the product of a cooperative program, encouraged and promoted by the members. It supplants much special correspondence formerly handled by the Casper Tribune-Herald.

Let me try to illustrate: What is news of great reader interest in Wyoming would be of no interest say in Atlanta, Georgia, Boston, Massachusetts, or Cincinnati, Ohio. In proportion to the vast number of news readers throughout the United States, it would be of very little interest. However, if two or three thousand newly-born lambs or too-early sheared sheep were killed here in Wyoming by an unexpected freeze, such news would be of great reader interest and importance in this state. That kind of news

would be furnished by our state news service, coming perhaps from the Casper Tribune-Herald; if not, from some other Wyoming member of The Associated Press who realized its obvious importance and did his duty as a member. News of this sort is not frequently furnished by a privately owned service. It is of too little universal value to warrant the expense of its gathering, except through a cooperative.

In furtherance of its membership interests and as a contribution to state and regional news service, the day rarely passes when one or more news dispatches is not filed by the Casper Tribune-Herald to The Associated Press. This is done immediately on learning of the happening, and at once becomes available to members in this area. Hundreds of such dispatches are filed in the course of a year as Casper is the second largest population center in the sparsely settled state.

By hard, persistent, thoughtful work, we small members have created an asset which is of more than patronage interest because our labor, thought, and industry and some incidental expense paid by us has gone into it. This asset belongs to us. It is ours.

However, it takes more than an AP membership to make a newspaper successful. Wyoming has newspapers that at- [fol. 2230] attained success without The Associated Press. The history of the Casper Tribune-Herald is illustrative It started in 1916 as the Casper Tribune having only a United Press pony service. At that very same time, the Casper Press (a daily) had an Associated Press membership. The Casper Tribune with its UP pony service competed successfully. The Press failed to make a go of it and was absorbed by the Casper Herald. It also folded up while the Casper Tribune maintained a gradual growth. Later on the Herald was started again by another management. It had The Associated Press morning service while the Casper Tribune did not. The Herald changed hands several times until it was acquired by the Casper Tribune which was being served by the United Press. The Casper Tribune Herald as the Casper Tribune (as it was formerly known) continued the publication of its Sunday edition for several years without The Associated Press service and it has survived all others in the Casper field.

The Wyoming Eagle at Cheyenne is an outstanding example of a newspaper that relied upon United Press service

alone for years for its telegraph news. It grew from a weekly publication into one of the leading small dailies in the Rocky Mountain region.

(s) Earl E. Hanway.

Sworn to and subscribed to before me this eighth day of June, 1943. H. A. Terriere, Notary Public. (Seal.)

[fol. 2231] AFFIDAVIT OF HOUSTON HARTE

STATE OF TEXAS,
County of Tom Green, ss.:

HOUSTON HARTE, first having been duly sworn, on his personal knowledge of the facts, makes this affidavit:

My name is Houston Harte; residence, San Angelo, Texas, where I am the publisher of the San Angelo Evening Standard and have been since I purchased it from its founder, J. G. Murphy, May 1, 1920.

I have been in the newspaper business since I was eighteen, when I worked as a reporter on the Los Angeles Examiner of Los Angeles, California. In 1914 I purchased the Knobnoster (Mo.) Gem, and in 1915, with John Donald Ferguson, now the Editor of the Milwaukee Journal, I purchased the Boonville (Mo.) Republican. In 1919 I sold both of these papers and came to Texas, where I have resided ever since.

In April 1935 I was elected vice-president of the Associated Press. I had attended only one previous annual meeting, that held in 1925. As a matter of fact, I was not present at the annual meeting in 1935 when I was elected vice-president. I had no acquaintance with any member of the Board of Directors with the exception of the late Mr. George B. Longan of the Kansas City Star, whom I had met in 1920 on a trip to Mexico.

In 1936 I was re-elected as second vice-president by the Board, and at the annual meeting in 1937 I was chosen by the membership as one of the three directors representing the smaller papers.

At and somewhat prior to the time when I was first elected to the Board of Directors, there had been some agitation for the election of directors from cities of small size, the theory being that it was necessary for the interests of these mem-

bers to be properly protected and guarded by members sitting on the board from similar sized fields who could better appreciate the problems of the smaller members. I had not been an officer very long before I realized from what I ob-
[fol. 2232] served that small members, such as the San Angelo Standard Times, needed no special representation in order to receive fair and impartial treatment from the Board of Directors or to receive the thoughtful attention of their suggestions or complaints or of whatever matter they wanted considered.

In the two years that I was a vice-president and in the six years that I served as a director, the size of a paper never in any way affected the attitude of the individual directors. No director, according to my experience and careful observation, felt that he was on the Board to represent any certain group or size of newspapers.

Frequently, I believe that I may conscientiously say and I do say that at virtually every meeting the Board of Directors spent hours discussing problems of small members in an effort to help the member and to make him feel that his success would correspondingly add to the advancement of the Associated Press. The Board carefully discussed and analyzed problems that in any other sort of organization would have been handled by minor officials.

The Associated Press is a large and complex organization. Regular directors' meetings are held but three times a year. They last an average of from three to six days. It is hardly possible for a director to become familiar enough with the operations of the Association to make proper decisions until after a few years of experience on the Board.

A board with a shifting membership, meeting at such wide intervals and with no background of experience in dealing with similar problems, would be utterly lost in the managing of an organization such as the Associated Press. The inevitable result would be that the business, like a Chamber of Commerce, would be turned over to the full-time employees who, not possessing the responsibility of ownership, on occasions might not realize the full responsibility of the trusteeship of such an important organization.

[fol. 2233] Including Josh Horne and myself, eight new directors came on the board in the eight years of my service.

Only a few persons can fully account the value of the long service of Mr. Frank B. Noyes as president and director of the Associated Press. I have no way of knowing how

much time he has devoted to the Associated Press, but I would venture to guess that it was almost as much as he devoted to his newspaper, the Washington Star.

I assume Mr. Noyes had devoted all this time to the Associated Press for the same reason that I have taken time out to work for it, namely, because he had a membership in the organization and when he helped the Associated Press he added something to the value of his newspaper.

To devote time is of course one thing, but to get the time of a man of the sound judgment of Mr. Noyes is quite another. In critical periods in the history of the organization, I am convinced it has been his thoughtful leadership that has been of greatest value in determining the decisions of the board. In my limited service, I have been amazed at his memory and his ability to recall the specific circumstances which caused the organization to make a certain decision.

With my partner, Bernard Hanks, of Abilene, Texas, I have been active in the small-city newspaper field in this state. In the last twenty-three years we have either purchased or established eighteen daily newspapers; two of these newspapers were consolidated with papers we owned in the same field and six were sold.

Three of these papers had the leased-wire service of The Associated Press when purchased. Eventually all but *but* one became a leased-wire member of the Associated Press after contracts with other press services expired. This last paper, while not owned by us, expects to become an Associated Press member this year. We have taken an active interest in getting non-competitive newspapers into the membership of the Associated Press. New members bring two specific benefits (1) they increase the news coverage of [fol. 2234] the organization; (2) they decrease the cost, particularly the wire charge which is large in a vast state such as Texas.

We encouraged a state mat service, and when other papers seemed indifferent, worked up a group of eight papers in addition to our own with whom we exchanged mats each month. This soon developed into the present Associated Press state mat service which provides the smaller papers of the state with a morgue equal to that of the big-city dailies at a nominal cost. It is a noticeable fact that the big-city papers did not co-operate in the state mat service—recently most of the large papers have subscribed to this service—

feeling that they could go it alone and get their own state pictures.

Texas Associated Press members were among the first to provide a Texas reporter covering the news of Texans in Washington when this service was offered by the Associated Press. The big papers of the state had their own special Washington correspondents. They were not interested, but the small-city papers voted the assessment upon themselves to provide this additional service.

The same circumstances prevailed in establishing additional Associated Press reporters in the capital at Austin and in strategic points throughout the state. The board of directors, the management, and the little papers, all cooperated for a better service.

Texas Associated Press members wanted to get the news and pooled their resources to get it. But Texas newspapers would not have worked through the Associated Press to create these superior news features if they had felt that some day they might have to share the result of this pioneering and the fruits of this effort with some new-comer who, not satisfied with other world-wide news and picture services, might demand what they had built at great cost and with untiring effort.

I know nothing of the big-city newspaper field, but have studied newspaper operation in the 20,000 to 50,000 popu- [fol. 2235] lation fields. In buying a newspaper I have never wasted time worrying about what press service the paper had or the status of the Associated Press membership in the field. The basic consideration in the success of a newspaper is the community, its resources, its potential possibilities, and the ability of the management.

It is what the newspaper does with the news it gets, what it sees in the news and how it presents this news to its readers that is important. Headline writing is almost as important as the news itself.

Never before was there so little difference between the reports of all the press associations as reflected in newspaper front pages as today. We live in a world of "handouts" from our own OWI to "Radio Moscow with a London dateline" and Herr Goebbles via the Federal Communications Commission.

I prefer the Associated Press as a news service because in it I have a feeling of ownership. I feel that it is mine—something which I have helped build and which cannot be

taken from me like the local staff of a paper or the makeup and character of an editorial page—something which a hard-hitting group of American newspaper men has somehow got together and made into an economical, efficient, honest newsgathering organization.

Houston Harte.

Sworn to and subscribed to before me this 16th day of June, 1943. Alba McCreary, Notary Public. (Seal.)

[fol. 2236] AFFIDAVIT OF C. H. HEINTZELMAN

STATE OF PENNSYLVANIA,
County of Chester, ss:

C. H. Heintzelman, first having been duly sworn, states under oath that the following facts are true:

My name is C. H. Heintzelman, (residence, Coatesville, Pennsylvania, editor and owner of The Coatesville Record. Most of the time since 1912 I have been actively in newspaper work. I was reporter on the old Altoona Times, and was news editor and later managing editor of the Times before coming to Coatesville in 1916. I bought the Coatesville Record in November, 1919. One of the inducements considered was that it was a member of The Associated Press, with which I was thoroughly familiar. The population of Coatesville is 14,186 and of Chester County, 130,000. It is one of the heavily populated sections of the country. The Coatesville Record is published daily except Sunday, in the afternoon. It has a circulation of 7,925 as of May 31, 1943. It uses no news service except Associated Press and none but Associated Press features, except for two daily features that we purchase from McClure Syndicate. There are two other daily newspapers in Chester County—The West Chester Daily Local News, and the Phoenixville Republican, the latter a member of The Associated Press. The Coatesville Record serves our section of Chester County west to the Lancaster County line; on the north it reaches the Berks County line; on the south it reaches the Maryland line; and on the east we reach about seven miles. We have attempted to keep our circulation as nearly as possible within the territory served by stores in our city.

The primary reason for The Coatesville Record's existence in this field is coverage of the local news. Nevertheless, we would lose many subscribers if we did not also furnish at least the highlights of world news. This is especially true in the country districts where we have a large following due to the fact that we do cover more than merely local ter- [fol. 2237] ritory with our news. If The Coatesville Record did not furnish something more than local news, it would be supplanted by the large papers around us in Philadelphia, Lancaster, Reading, and Wilmington. An important benefit to a small newspaper of being a member of The Associated Press is that it gives the small paper an opportunity to compete for circulation with larger papers. Since it is a cooperative, there is a measurable amount of security in having a say as to its policies and management. Having three members of the Board of Directors, our voice is heard and our membership is actually represented. Moreover, the smaller members can and do help to shape the policy at the annual meeting.

The Coatesville Record furnishes The Associated Press with such news as may be of interest. Being on the Lincoln Highway, there are frequent automobile accidents involving city people and reports of such accidents are made immediately. We have always covered election returns from the entire county. When there have been outstanding news stories we have protected The Associated Press. Among such cases were the Helen Moyer murder case in 1937 for which the death penalty was involved. This case made the first pages of many newspapers for several weeks and later was used by Magazines. We also reported the Evelyn Hoey death in 1935 which for some time was news of an important character due to the mystery that surrounded it. The Coatesville Record, like more than a thousand of its fellow members, has helped build The Associated Press into a splendid news gathering organization. This has been done by its members who contributed their share of the expense and who have furnished the news in a cooperative spirit.

While I decidedly believe there is a greater value in being a member of a cooperative, it is not a fact that a newspaper would be handicapped without The Associated Press. The Daily Local News at West Chester is Chester County's oldest paper. It never had an Associated Press membership, [fol. 2238] using International News Service and United Press at various times, yet it has the largest circulation in

the county. Prior to 1916 I lived in Altoona, Pennsylvania. There were two morning papers, The Times and the Tribune; both received Associated Press morning wire service. There were two afternoon papers, The Gazette and the Mirror, which had no wire service of any kind. The Mirror, without any outside news service whatsoever, had a larger circulation than either of the morning Associated Press papers. It was some years before The Mirror added United Press, which it still uses. It has never been a member of The Associated Press.

C. H. Heintzelman.

Sworn to and subscribed to before me this 9th day of June, 1943. Harry S. Woodward, Notary Public. (Seal.)

[fol. 2239] AFFIDAVIT OF FRANK S. HOAG

STATE OF COLORADO,
County of Pueblo:

Frank S. Hoag, first having been duly sworn, deposes as follows:

My name is Frank S. Hoag. I am president and publisher in Pueblo, Colorado, of two independent papers. The morning paper is The Pueblo Chieftain. The evening paper is The Star-Journal. I have been in the newspaper business here in Pueblo about thirty-eight years. The history of both papers is as follows:

The Pueblo Chieftain: The Chieftain was established as a daily paper in Pueblo in 1872. I do not know when it became a member of The Associated Press of New York, but my belief is that it is a charter member. The Chieftain has operated under five or six ownerships, and lessees. The Chieftain's first recognized owner was a Captain Lambert. He operated the paper until the year 1902. The Chieftain was then bought by I. N. Stevens of Colorado Springs, the owner of The Gazette in that city. At the date of his purchase he was an aspirant for election to the United States Senate from Colorado. The Chieftain was a member of The Associated Press. Colonel Stevens tried to make a state paper out of it, but even with the alleged prestige of The Associated Press, The Chieftain lost money and he failed

of election. He then leased The Chieftain to Thomas H. Devine, a local attorney in Pueblo, under an option to buy. Mr. Devine ran the paper for three or four years during which time, he told me personally, he lost over $20,000. The paper still had The Associated Press. He then sub-leased the Chieftain to two Pueblo newspaper men who had been employed on The Chieftain for several years—Mr. Fred Marvin and a Mr. Haubrick. They failed to run the paper successfully. During their lesseeship of three or four years, [fol. 2240] The Chieftain was put through voluntary bankruptcy and thus several thousand dollars of debts were wiped out.

Subsequently The Chieftain was turned over to Mr. Walter Wilder and Mr. Gus Withers, long-time employes on it, who also tried to make it pay, but couldn't. Eventually they turned it over to George Sweeney, a local real estate operator, who obtained the backing of the late Senator Alva B. Adams. After five or six years of unsuccessful management and the loss of many thousands of dollars, The Star-Journal Publishing Corporation, which had been in business in Pueblo since 1900, was induced to take The Chieftain over. We did not pay a thin dime for its Associated Press membership, its circulation accounts, its equipment, or its goodwill, if it had any. We did make a contract with Senator Adams to give him a small proportion of the NET profits of the *combined* operation of the Star-Journal and Chieftain, if, as, and when profits were made.

The Chieftain never paid its stockholders, its lessors or lessees any dividends from the time Captain Lambert sold it to Colonel I. N. Stevens until we acquired it. It was always an operating liability, notwithstanding the fact that it was and still is the only Morning daily newspaper in Southern Colorado with an Associated Press membership. Its NET PAID circulation was never what it might have been IF The Chieftain had been properly managed. When we took it over in 1933 The Chieftain was sending about 5,000 papers to Colorado Springs for political purposes, for which it did not receive the cost of the white paper used in printing them. Its NET PAID circulation at the time we took over was about six thousand. Today it is approximately twelve thousand and it is steadily growing.

During the George Sweeney regime which was during the years of 1926 thru 1932, The Chieftain had BOTH The Associ-

ated Press and the United Press—and could not or rather did not make money. When we took it over it owed the [fol. 2241] United Press about $1,400 which was eventually paid out of collections by its former owners. We received none of its accounts collectable and were careful to assume none of its liabilities. The accounts collectable were used to liquidate its debts in part by its former owners.

The Pueblo Star-Journal: The Star-Journal first had a pony Associated Press report; later it had the full day report. It was established as a consolidation of The Star and The Journal in about 1900. The undersigned affiant became manager of The Star-Journal in the fall of 1904. At that time the company owed a local bank about $35,000 incurred as a result of mediocre management and the failure to build circulation whereby advertising could be obtained. At that time The Chieftain had about two-thirds of the advertising and about the same proportion of the total circulation of both papers, while The Star-Journal had about one-third. After eight or ten years of the most careful management I could give it, we were able to pay off the note at the local bank and The Star-Journal had at least one-half the total advertising and at least one-half of the total circulation in Pueblo. From then on The Star-Journal gradually forged ahead while The Chieftain was suffering under changing managements.

About the year 1910 or 1911 The Star-Journal started a Sunday morning paper. It obtained the Consolidated News Service and some years later, the United Press Service. The Sunday issue of The Star-Journal flourished without The Associated Press for several years. Eventually, I think after the Consolidated News Service went out of business, we got The Associated Press morning report. Since about 1918 or 1920 The Star-Journal has had both The Associated Press and the United Press, although being unable to use more than 30 or at the very most 40 per cent of the news both services furnish. The Star-Journal always has been a successful newspaper, both from a circulation and from a financial standpoint.

[fol. 2242] We took over the Chieftain—not paying anything for its assets however,—for two primary reasons. First we felt that we could turn it to a good advantage by publishing it (morning) in combination with the Star-Journal, an evening paper. This has proved to be the case.

Second, we wanted to keep someone else from tinkering and experimenting in a field that had continuously proved unsuccessful from a financial standpoint.

During my entire newspaper experience of about thirty-eight years in Pueblo there never has been a time when news was not sent out by correspondents of ALL news services to their respective services, although employees of our papers send news only to The Associated Press. This does not prevent other news gathering and distributing organizations from obtaining the same news at the same time we get it. They do it right along.

At this time we are using both The Associated Press and the United Press on the Chieftain and we are using The Associated Press alone on The Star-Journal. In November, 1942, we discontinued the United Press on The Star-Journal. Our action was based on the theory that the Rocky Mountain News, a Denver morning paper, is a United Press paper. While it has an Associated Press membership, it habitually plays United Press news much more than Associated Press news. We thought, therefore, that to combat the Denver Rocky Mountain News we should retain the United Press on the Chieftain and for reasons of economy under decreased advertising revenue, to get along with our Associated Press service on The Star-Journal and too that we could compete with the Denver Post, an evening paper which uses United Press, Associated Press, and International News Service.

The Star-Journal operated for several years with only a pony service from The Associated Press, and it made money from the start. During the George Sweeney regime of about six years The Chieftain had both The Associated [fol. 2243] Press and the United Press. Still it could not be made to break even financially. It lost money.

In other words, it is not whether a paper has an Associated Press report or not that is a controlling factor in its success. It is MANAGEMENT UNDER ANY NEWS REPORTS that determines whether a paper makes money or not, and whether it adequately serves its community. If an alleged newspaper publisher merely wishes to find an outlet for his surplus funds and wants to play with a newspaper to help spend his money and to experiment, he might like to obtain as many news services as there are. But none or all of them would determine his ultimate success or failure. There are too many avenues for obtaining news

and news features to make any one of them absolutely necessary.

As a matter of fact, I regard this condition as also true in the radio field. Now there are three or four broadcasting systems, each and every one of which obtains EXACTLY the same news reports from recognized news centers, and I know local radio stations which do not take more than one service which are eminently successful. They do not need the services of more than one radio network. They may have special news correspondents, but news from ALL news centers is available to them if they want to duplicate much of what they already receive.

Frank S. Hoag.

Sworn to and subscribed to before me this 17th day of June, 1943. Gertrude M. Roy, Notary Public. (Seal.)

[fol. 2244] AFFIDAVIT OF JOSH L. HORNE

STATE OF NORTH CAROLINA,
County of Nash, ss:

JOSH L. HORNE, having been duly sworn, makes the following affidavit:

My service with The Associated Press began, following election as a member in 1914, by my being named Chairman (or President) of the North Carolina Associated Press group. I was elected by the membership in North Carolina.

My next service was that of membership for several terms on the Southern Advisory Board (later abolished), being elected by the regional membership from the Southern division at the annual meetings in New York.

At the election of officers in April 1920 I was elected second vice-president of The Associated Press by the Board of Directors serving only one year. Seventeen years later, or in 1937, when the by-laws of The Associated Press were amended to provide for membership on the Board of three directors from cities of less than 50,000 population, I was elected for a one-year term and was re-elected in 1938 for a three-year term, and re-elected in 1941 for the term that I am now serving.

My services to The Associated Press have included my attendance at the meetings of the Board and attendance at regional and state meetings in my section, while I have had extensive correspondence with members, bureau chiefs, and employees, as well as other directors and officers on matters of policy and details of operation of the organization. I have always found the officers, employees, and my fellow directors willing to discuss and advise on any question tending to the betterment of The Associated Press or to the advantage of the smaller members either individually or as a body.

Smaller members carry on an active correspondence with me as one of their directors by personal conferences, letters, telephones and wires. In other words, my correspondence manifests that the membership as represented by the news-[fol. 2245] papers published in 793 cities of less than 50,000 population of my class are cooperative in spirit and in act, and that on the one hand they are alive to the benefits that they receive as members of The Associated Press, while on the other they aim and constantly strive to make it a better news gathering agency.

(Signed) Josh L. Horne.

Sworn to and subscribed to before me this 17 day of June 1943. C. Virginia Smith, Notary Public. (Seal.)

[fol. 2246] AFFIDAVIT OF JOSH L. HORNE

STATE OF NORTH CAROLINA,
County of Nash, ss:

JOSH L. HORNE first having been sworn, makes the following affidavit on his personal knowledge of the facts:

I have been in the newspaper business since 1908; my residence is Rocky Mount, Nash County, North Carolina, in which county I was born and raised. I am 56 years of age.

Rocky Mount is located in Nash and Edgecombe Counties and its population in 1940 was 25,568, it being the largest city in North Carolina east of Raleigh and north of Wilmington. The only city in the state of more than 100,000 population is Charlotte. The state's population is 3,571,623.

Our town is supported by a rich agricultural back country; its tobacco market sells 40,000,000 pounds annually. The counties produce more than 60,000 bales of cotton. We ship more than 1,000 car loads of hogs annually. Our manufacturing extends to cotton yarns, plush, silk, mattresses and fertilizers. Rocky Mount is the location of the Atlantic Coast Line Railroad shops and divisional headquarters.

The Rocky Mount Telegram was founded by me in 1911 as the Morning Telegram. It became the Evening Telegram in January 1912 as which it has been published continuously afternoons except Sundays) since that time. The circulation is 7,812. It is confined largely to Rocky Mount and the areas adjacent.

For the greater part of time after January 1912 the Evening Telegram used the United Press report during which time the paper was successful. In 1914, the Evening Telegram became a member of The Associated Press and has been a member ever since.

The change came about in this wise:

In 1914-1915 a number of the smaller daily afternoon papers in North Carolina concluded that it was to their respective interests to belong to a cooperative news gather- [fol. 2247] ing association. Theretofore, each of us was taking a news service of a sort. While receiving the same news we were paying different rates for the same report and this service could and might arbitrarily increase our rates as it saw fit and we had no means of protecting ourselves. The Associated Press as a democratic cooperative service appealed to us severally since it would allow us a voice in its management whereby we could do our own governing. All of us were desirous of building a state news service and The Associated Press was the only service affording this facility in the newspaper field whereby our efforts would inure to the building up of our own property and be within our control.

The following eleven papers—separately owned—made applications for membership in The Associated Press, nine in 1914 and two in 1915. Each application was granted and so each of the following papers became a member:

New Bern Sun
Rocky Mount Telegram
Concord Tribune

Salsbury Post
Wilson Times
Durham Sun
Greensboro Record
Henderson Dispatch
Fayetteville Observer
Hickory Record and
High Point Enterprise

All of these are still members with possibly some change in names. The Associated Press as a mutual organization provided the vehicle for a realization of an ambition for an interchange of state news among these papers. We could govern ourselves.

North Carolina was the first state to transmit a part of its news report in the mails through the medium of news events mailed in by the individual member and compiled [fol. 2248] and dispatched from a state office of The Associated Press to others around the state. These small papers could not afford extensive wire tolls and correspondents and The Associated Press provided a medium whereby advance material could be sent to members. These eleven papers could not have afforded to do this individually because of the expensive items of gathering, compiling, typing, mailing and so forth, whereas The Associated Press provided the facilities and a bureau correspondent to do the job at a central point.

The Associated Press with our very earnest and continuous cooperation made the plan work and its continued growth is attested by the fact that whereas in 1914, prior to the election of these members, there were less than a dozen members of The Associated Press in North Carolina, at the present there are 35 members within the state. It is an attestation of the fine service that has been rendered by The Associated Press to the daily papers of North Carolina that we have trebled its number and enlarged the scope of its activities to include not only the state letter, but a morgue, mat and other services.

A typical accomplishment of the cooperative in behalf of smaller newspaper members was the printerization of news circuits in the early '20s. Small city newspapers were then receiving a short and limited report of 500 to 1500 words daily and could not take advantage of the new printer—telegraph machines, because of the high rental charged for

them ($75 a month or $900 a year). Because of its large-lot purchasing power and because we had the capital, The Associated Press was able to buy enough of the machines outright at a figure (approximately $400 each, total outlay exceeding $300,000) which permitted amortization of the cost by assessing the members only a nominal amount weekly over a period of years. As a result, small city newspapers were able to obtain a greatly improved news report running upwards of 20,000 words daily at a cost they could afford. The fact that a great many newspapers had joined [fol. 2249] together in a cooperative effort enabled them to do what none or a few of the individuals could have accomplished.

The Associated Press has increased the number of its employees from possibly two or three in 1916 to 29 in 1943 and the number of its bureaus from one to two.

Small papers lack the facilities and resources for news gathering on a national and world wide scale that metropolitan papers have, but the small town paper must have some amount of other than local news. The Associated Press through its careful service furnishes a wider selection and far more of this sort of news than any paper can find space to use.

Perhaps the factor next in importance to local news is state news. In North Carolina there are only six cities of more than 50,000. We have Associated Press bureaus located in Charlotte and in Raleigh. Of the five cities of over 50,000 in population, three have a population of less than 61,000.

From the member papers in the state outside these two bureau points, The Associated Press in October 1942 furnished 1,013 stories of which 177 went on the regional or trunk wire. In November, 1,011 stories were furnished outside the bureau points and 206 of these went on the trunk wire.

As instances of how a small newspaper fulfills its obligations as a cooperative, I cite the following:

The death of Senator Thomas J. Walsh, the newly appointed Secretary of State in President Roosevelt's Cabinet, who died on a train while en route through North Carolina to Washington. Being on the scene enabled The Associated Press to get this story.

The draft status of Kay Kyser, a celebrated orchestra leader and a native of Nash County, was disclosed through the Rock- Mount Telegram's initiative.

At 2:30 on April 15th this year, our office came into possession of information that a tornado had struck Roxobel, a little town in Bertie County, with some loss of life. [fol. 2250] Although the afternoon wire closed at 4:00 P. M. and Roxobel was more than 50 miles distant, we had this story in the afternoon report of The Associated Press. There would have been no incentive to have done this for a privately owned commercial enterprise.

If our Associated Press news report was made available generally to any applicant who had done nothing to build upon the service the cooperative feature would be irretrievably impaired. This necessarily would result in such a devalued report as to be practically worthless.

Josh L. Horne.

Sworn to and subscribed to before me this 17th day of June, 1943.

V. Virginia Smith, Notary Public. (Seal.)

[fol. 2251] AFFIDAVIT OF TOM H. KEENE

STATE OF INDIANA,
County of Elkhart, ss.:

Having been duly sworn, Tom H. Keene, on his own personal knowledge of the facts hereinafter set forth, deposes as follows:

My name is Tom H. Keene, residence, Elkhart, Elkhart County, Indina. I am vice-president, editor, and general manager of the Elkhart Daily Truth, a six-day evening paper published in Elkhart, Indiana, by Truth Publishing Co., Inc.

For thirty-five years I have been in the newspaper business, practically all of that time in Elkhart. My first connection with a newspaper was in 1908 as a reporter on the Elkhart Review, which ceased operation in 1920. I worked for the Review for about four years. I became a reporter on the Elkhart Daily Truth in 1912. March 24, 1913, I became a city editor, occupying that position until 1917, when I became editor. In 1924 I was elected secretary, becom-

ing vice-president in 1936, still retaining the posts of editor and general manager.

The 1940 census shows Elkhart city's population as 33,434 and Elkhart county's population, 72,634. The city depends economically upon its manufactures, the county is mainly agricultural.

The Truth's circulation now runs about 17,200 daily. It has Associated Press wire service, feature and photo service, United Press radio wire in both the newspaper office and radio station. It also has Newspaper Enterprise Association feature and picture service. The Elkhart Daily Truth has been a member of The Associated Press since 1920. There is no other daily newspaper in Elkhart, however, South Bend, Indiana, with a population of more than 150,000, is only eighteen miles west. The South Bend Tribune has a bureau in Elkhart and circulates widely throughout the county.

[fol. 2252] As to the benefit The Associated Press is to a smaller member like the Elkhart Daily Truth, if such smaller member had no press association to collect state, national, and international news, it would be under a tremendous disadvantage. No small newspaper can afford to have correspondents outside its own locality. Without state, national, and international news, the small town paper would have to confine its news coverage to the happenings in its own locality and immediate environs. Such news is the more important, but it is not sufficient. Readers wish to know and need to know, particularly in times such as these, what is going on over the world and they demand outside news. If a small paper were deprived of wire service, the readers, to keep abreast of the times abroad as well as at home, would be obliged to take two newspapers—his community paper and a metropolitan paper.

It is true that the small town paper if without The Associated Press, would have available United States and International News Service, both of which are good services. But The Associated Press also has a reputation for accuracy, and unbiased, complete, comprehensive news coverage. It serves newspapers of all political complexions. It is operated by the members themselves who have a voice in its management. These members get together in state groups and discuss what can be done for improvement of service. It is not a commercial organization and the fact that it is a cooperative organization is an important reason

why the members take more interest in it than they they would in a commercial news service. It belongs to them. When they work for it, they are working for themselves. The Elkhart Daily Truth protects its fellow members with the news it feels they want to have. I file news for other members and they file for me. Everybody is benefitted. The newspaper would not be so enthusiastic toward a commercial organization.

It is a distinct advantage to know that if an Elkhart man distinguishes himself in some other community served [fol. 2253] by The Associated Press—and Associated Press covers most communities in the land—the news is made available promptly to the Elkhart Daily Truth. It is of such service that newspapers are made.

A great many Elkhart people are employed in South Bend war industries, hence our readers have a deep interest in South Bend as well as in Elkhart. South Bend files daily news of general importance. This is promptly available to the Elkhart Daily Truth. If South Bend failed to protect us by its Associated Press wire, The Daily Truth would be compelled to have a correspondent in South Bend, and this one correspondent would cost my paper nearly one-half as much as the whole Associated Press wire service costs.

The obligation is reciprocal. When news of general or particular interest transpires in our field, the Daily Truth at once makes it available to the state Associated Press bureau for general dissemination. We are required to do this. It is a part of our obligation to our fellow members and if we expect them to serve us we must serve them. Here is a recent example that any editor or publisher of a paper not metropolitan in size will appreciate: the Ben-Hur state organization had its annual convention in Elkhart two weeks ago, when it elected officers and selected its 1944 convention city. The Daily Truth sent the news out immediately. It was of interest to all Ben-Hur organizations over the state, to the home towns of the newly elected officers as well as the 1944 convention city. This sort of interchange goes on daily.

I want to add this: no press wire service can make or break any newspaper. To survive, a newspaper must have real business management. It must be managed by a man who by experience knows the business from top to bottom. It is no place for a novice. The paper must have an

alert civic conscience and stand for something in its community. It must be clean and honest and above all it must be fair in its report of the news.

[fol. 2254] Before the Daily Truth obtained its Associated Press membership—which was when the Elkhart Review closed down—The Truth had been using United Press or International News Service—always one or the other, and it was a good paper, in my judgment. At the same time, the Elkhart Review had had an Associated Press membership for several years. Notwithstanding this membership, the Review failed in business. The Daily Truth was growing without The Associated Press and has continued to grow.

Tom H. Keene.

Sworn to and subscribed to before me this — day of June, 1943. Jay G. Wallick, Notary Public. (Seal.)

[fol. 2255] AFFIDAVIT OF EDWARD LINDSAY

STATE OF NEW YORK,
County of New York, ss:

Edward Lindsay, being duly sworn, deposes and says:

I reside in Decatur, Illinois, and am now the editor and a director of the following newspapers, all of which are owned by Decatur Newspapers, Inc.: Decatur Herald, (morning), Decatur Daily Review, (evening), and Decatur Sunday Herald & Review; the Evening & Sunday Courier published at Urbana, Illinois; the East St. Louis Journal, daily and Sunday, published at East St. Louis, Illinois. All of these newspapers are members of The Associated Press, except the East St. Louis Journal, which subscribes to the services of the United Press.

I have been connected with newspapers since 1923 as a reporter, advertising solicitor, assistant to publisher, editorial director, and editor. My family has been in the newspaper business for three generations. My grandfather published the first six-day labor newspaper in the United States with Ethelbert Stewart, former United States labor statistician, as his editor. Two of my uncles have been identified with newspaper publishing since 1905. One

of them, F. M. Lindsay, has been publisher of the Decatur Herald since 1912. This newspaper was a member of The Associated Press of Illinois and since 1900 has been a member of the defendant The Associated Press. In 1929, the Herald began publication of an evening paper using the telegraphic news services of the United Press and in 1931, the Decatur Herald and its evening competitor, the Decatur Review, were consolidated.

In September, 1932, Decatur Newspapers, Inc. purchased the East St. Louis Journal and in August, 1934, the Evening Courier at Urbana, Illinois. Since 1925, and especially since 1931, I have been familiar with the news reports of The Associated Press, United Press, International News Service and since 1938, with the services of Trans-Radio Press.

[fol. 2256] At the time Decatur Newspapers, Inc. purchased the East St. Louis Journal, its total paid circulation reported by the Audit Bureau of Circulations (for September, 1932) was 8,972 daily.

The A. B. C. publishers statement for March, 1943, gives the Journal a total paid circulation figure of 16,047 daily. Moreover, the circulation of the East St. Louis Journal, the only daily newspaper published in East St. Louis, is larger than the paid circulation of any other newspaper circulated in that city. The three daily newspapers published in St. Louis, Missouri, just across the river from East St. Louis, Illinois, maintain home carrier distribution service in East St. Louis and in several instances the metropolitan St. Louis newspapers and East St. Louis Journal are delivered by the same combination carriers.

The A. B. C. circulation figures for the East St. Louis city zone of these newspapers, according to the audit reports of September 30, 1942, are:

St. Louis Star-Times	7,542
St. Louis Globe Democrat	6,101
St. Louis Post Dispatch	5,584
East St. Louis Journal	12,896

In September, 1932, the East St. Louis Journal used the telegraphic news reports of the United Press and continued to do so until January, 1935. The Journal used the telegraphic news reports of International News Service from October, 1933, until November, 1938; between January,

1935 and June, 1938, it used the telegraphic news reports of the International News Service exclusively.

Between June, 1938 and April, 1941, the Journal received telegraphic news reports of Trans-Radio Press and between November, 1938 and April, 1941, it used the telegraphic news reports of Trans-Radio Press exclusively. Since April, 1941, and up to and including this date (June 9, 1943) it has used the telegraphic news reports of the United Press exclusively.

[fol. 2257] During all this period, since September, 1932, the paid circulation of the East St. Louis Journal moved upward and is today continuing to gain.

In September, 1932, and for a year after that date, the East St. Louis Journal operated at a deficit. Since 1934, and for each year since up to and including this date (June 9, 1943) the East St. Louis Journal has operated at a profit.

From my experience as editor and a director of the East St. Louis Journal since 1932, I state that the news service of the United Press which has been delivered to the East St. Louis Journal is adequate for the successful publishing of that newspaper in East St. Louis.

Moreover, the news reports of the International News Service and Trans-Radio Press each have been used exclusively by the Journal in East St. Louis without any loss in circulation or advertising patronage. The circulation of the Journal continued to increase during the periods when the news reports of the International News Service and of Trans-Radio Press were used exclusively.

The second largest paid circulation in East St. Louis city zone according to the reports of the Audit Bureau of Circulations is that of the St. Louis Star-Times, which is not a member of The Associated Press. The two Associated Press member newspapers offering daily home delivery carrier services in East St. Louis have approximately half of the circulation of the East St. Louis Journal and substantially less than the circulation of the St. Louis Star-Times.

The East St. Louis Journal has subscribed to news photo mat service of the Acme Newspictures, Inc. since 1938. The delivery of pieture mats by mail and by express has been prompt and the picture coverage offered by Acme has been satisfactory in quality and in subject matter.

In August of 1934, the Evening Courier at Urbana was using news reports of the United Press and had been for many years. It was not a member of The Associated Press. Late in 1935, this newspaper made application to the Board [fol. 2258] of Directors of The Associated Press for election to membership in that organization. The Champaign News-Gazette, a member of The Associated Press, objected to the election of the Courier. Champaign and Urbana are twin cities with population of 20,000 and 12,000, respectively. In spite of the Champaign News-Gazette objection, the Board of Directors elected the Courier to membership in The Associated Press on January 9, 1936. I have been familiar with the news services received by the Evening Courier at Urbana since that paper has been published by Decatur Newspapers, Inc., since 1934. At the present time, the Decatur Herald, morning, the Decatur Daily Review, evening, and the Sunday Herald & Review are using the telegraphic news reports of The Associated Press exclusively.

At various times in the past, these newspapers have used, in addition to The Associated Press, the telegraphic news services of the United Press and the International News Service. Both papers were original members of the defendant The Associated Press in 1900 and both were members of the Associated Press of Illinois. The Decatur Herald had a contract for the telegraphic news reports of the United Press for the day reports and night reports from October, 1927 to December, 1933. Between January 1, 1929 and September 1, 1933, this was the only telegraphic news report available for use in its evening edition. The Decatur Daily Review used the telegraphic news reports of the International News Service from September, 1933 to November, 1938. Both the Decatur Herald and the Decatur Daily Review used day and night telegraphic news reports of the United Press from January, 1935 to June, 1936. During this period three telegraphic news services were available to the evening Daily Review (AP, UP and INS) and two telegraphic services were available to the morning Decatur Herald (AP and UP). During all of this period, I have been familiar with the news services used by these newspapers in connection with my duties as their editor. I have [fol. 2259] been familiar with the news services used in the publication of morning newspapers since 1923, and espe-

cially since 1927, when I became director of the Decatur Herald.

As an editor and director of a morning newspaper, I have been impressed with the difficulties of getting adequate telegraphic news services from any of the news agencies whose services are available.

In Illinois, the state capital bureaus of all of the news agencies of AP, UP and INS are closed at night. The Chicago and St. Louis bureaus of all news agencies operate at night with skeleton staffs. Most of the 7 newspapers in the State of Illinois publishing morning editions have skeleton staffs. Chicago, Decatur, Rockford, Springfield and Urbana, (during most of the year the morning student paper at the University of Illinois, "The Daily Illini", is published) are the only cities in which morning papers operate with full staffs that attempt to cover all of the news of their communities. This makes it necessary for any morning newspaper operating in Illinois to maintain a large staff of string correspondents throughout the territory in which it circulates and to make exchange of news arrangements with other morning newspapers, without regard to membership or contracts for telegraphic news agency reports in order to get prompt and adequate coverage of many amateur sporting events and minor league baseball reports.

No picture agency, with its staff photographers or through its member or client newspapers, makes any pretense at giving adequate news-picture-coverage of Illinois outside of Chicago. No news picture agency has a staff photographer assigned to even the state capital city during legislative sessions or at any other time. From my experience as editor and a director of four newspapers located in three cities in Illinois, it is my opinion that the success or failure of a newspaper is not dependent on the news agency service or the picture agency service that the newspaper receives or does not receive.

[fol. 2260] I have been the representative of Decatur Newspapers, Inc. in The Associated Press for the Decatur Herald since 1931, and for the Evening Courier, Urbana, since 1936. I have been in intimate touch with the personnel of The Associated Press, including both members and employees, during all that period. I regularly attend the Illinois state meetings of The Associated Press, the annual meetings of The Associated Press and the annual

meetings of The Associated Press Managing Editors' Association.

It is my opinion that the comprehensiveness of The Associaed Press news and picture services is dependent in large measure upon the willingness of its members to expend time, effort and money in getting the news and pictures of their respective territories and in furnishing them to The Associated Press.

An instance of this was the coverage of a plane crash in February, 1943, in Clinton, Illinois. The first report of this accident came after the morning Decatur Herald had gone to press. Since no report could be published until the next afternoon, I had decided not to send a reporter or photographer to the scene until the following morning. All men who were available would have to be paid time and a half to cover the story. However, in response to a telephoned request from The Associated Press Chicago bureau, I sent both a photographer and reporter to the scene. The Decatur Newspapers, Inc. bore the entire cost of this extraordinary coverage for The Associated Press after it had decided it would not expend the time and money for this news coverage for itself. The Decatur Newspapers, Inc. was willing to perform this service because it knows that the comprehensiveness of the news coverage of a cooperative news agency like The Associated Press is dependent upon the loyalty and cooperation of its members and their willingness to expend time, effort and money in gathering news and pictures even beyond their obligation under the by-laws to do so.

[fol. 2261] Another example is the election news coverage supplied to The Associated Press on election nights by the Decatur Herald & Review. On election nights, the Decatur Herald & Review covers ten central Illinois counties, a territory far larger than 30 miles from the city of Decatur. It is necessary for these newspapers to employ special representatives at their own expense to gather election reports promptly. These returns are telephoned to The Associated Press bureaus at Springfield and Chicago as they are received and many hours before their first publication in the morning edition of the Decatur Herald.

If The Associated Press were forced to admit to membership any and all newspapers which applied, it is my opinion that it would not be possible for the organization

to retain the loyalty and cooperation of the individual members nor would it be able to maintain its standard of news coverage. The result would be a gradual deterioration in the completeness, accuracy and unbiased character of the present report. This, in turn, would require that individual newspapers spend large sums of money in order that the news published by them continue to be complete, accurate and unbiased.

(S) Edward Lindsay.

Sworn to before me this 9th day of June, 1943. Pearl E. Loeber, Notary Public. (Seal.)

[fol. 2262] AFFIDAVIT OF WILLIAM R. MATHEWS

STATE OF ARIZONA,
County of Pima, ss.:

First having been duly sworn, William R. Mathews, from his personal knowledge, deposes that the following facts are true:

My name is William R. Mathews. I am the editor and publisher of the Arizona Daily Star of Tucson, Pima County, Arizona. I have been more or less raised in the newspaper business but my professional experience began in San Francisco on the San Francisco Chronicle in 1919, as an advertising solicitor. In the fall of 1920 I went to Santa Barbara, California, where for four years I was business manager of the Santa Barbara Morning Press. In the fall of 1924 I joined Ralph Ellinwood in buying The Arizona Daily Star. I was general manager, he was editor. At his death in 1930 I became the editor and publisher.

There are two newspapers published in Tucson: The Arizona Daily Star, a morning paper with a circulation of 14,180 and a 16,995 Sunday circulation. The evening paper, Tucson Daily Citizen, has a circulation of 13,669.

The 1940 census gave Tucson a population of 37,000. This does not present an accurate picture because most of the growth between 1930 and 1940 really went on not in, but just beyond, the Tucson city limits, so that the population of what may fairly be called our city carrier limits would amount to between fifty and fifty-five thousand in

1940. Until about that year, Tucson's biggest asset was as a health resort and as a winter resort. The recognition of Tucson as a health resort has accounted for its great growth in the last twenty years.

The University of Arizona, with a normal enrollment of twenty-five hundred students, the Southern Pacific shops, nearly a dozen private schools catering largely to children seeking health, and the fact that this is the center of a vast cattle raising district accounts, in a great measure, for the size and prosperity of Tucson.

[fol. 2263] It is about the best place in the country for air training since practically no time is lost on account of weather. Tucson has an enormous operational training base for B-24 Liberators, a Ryan primary school, an army basic flying school and two private schools, one of them under contract with the navy. In addition, it has a navy indoctrination school, located at the University, with 1,000 officers maintained there at all times.

As a result of this development, Tucson and Pima county have issued over 80,000 ration books.

The Star was a member of the Illinois Associated Press and it is a charter member of The Associated Press, defendant in this suit. For the past twenty years The Star has taken the regular wire service of The Associated Press. As a member it has a voice in the policies and management. As a member of the smaller group it has representatives on the Board of Directors.

I have been particularly interested in The Associated Press because I have at all times taken seriously its cooperative nature and the democracy of its management. I have found not only the district bureau offices but the New York offices extremely sensitive to small papers such as my own. Almost invariably when I ask anything in the way of news coverage I get it.

The regional news service which was developed by The Associated Press a few years ago and upon which there is no patent or copyright, has been particularly appealing to the small papers, but even more important is its long established reputation for reliability. Another news service might establish a similar reputation but it would take time and in my judgment and experience it would not be as satisfactory due to the fact that ours is a cooperative and not a commercial enterprise. There is an assurance of permanency in being a member of The Associated Press.

The important cooperative feature depends on real cooperation. Sending out local news of regional or national importance affords the smaller papers the opportunity to [fol. 2264] cooperate and balance the small monetary cost as compared to the assessments on the great metropolitan papers. The records of our Phoenix bureau will show what a good job of cooperation the Arizona papers have done year after year. I can cite several instances in which I was personally involved. The two following illustrations are sufficient:

When the Dillinger gang was captured in Tucson in January, 1934, I was at the police station when John Dillinger and two of his mates were being booked. When he was being searched, finger printed and mugged, I was beside the identification officer who was going through a pile of pictures of wanted criminals. Through these pictures and a scar on Dillinger's left side and one on his wrist, the identification was certain. The United Press man and the Chicago Tribune representative were outside in the general police lobby. I called one of our men, whispered to him that we had Dillinger and told him to get The AP in Phoenix on the telephone and give them the news. By this means The Associated Press made a clean thirty-minute beat on the other news services. It was able to do this because as a publisher I took seriously the cooperative feature that enjoins each member paper to strong news service by doing its share. There is an appeal about a cooperative—an organization in which you are and own a part—that simply does not exist in a commercial news agency.

The illness of General Pershing is another instance. It happened that I knew the family intimately. I was able to give The Associated Press beat after beat despite the fact that there was a mob of special correspondents waiting in a building fifty yards away, and this included men from as far east as the New York Times. The Associated Press was able to do this because a member took seriously the fact that much of the success and prestige of The Associated Press is due to the emphasis upon the cooperative spirit exemplified by each member regularly doing his part.

[fol. 2265] I could give a long list of less important instances where The Associated Press was able to make its beat, notwithstanding the other news services maintained local correspondents.

However; it is thrift, enterprise, and sound management and knowing news and sensing reader appeal that makes a successful newspaper. The Associated Press cannot make it.

At the period when I was working in California, 1920-1924, an outstandingly successful paper, the Santa Ana Register, used United Press in the face of the hottest kind of competition from the great city of Los Angeles only fifteen miles away. The Pasadena Star News built its successful enterprise on the United Press alone, in spite of Associated Press competition in Los Angeles only a few miles away. Later the Pasadena Star-News bought up the unsuccessful Pasadena Post which had an Associated Press membership.

The San Jose Mercury-Herald, during that same period, was a most successful paper, and it used only the United Press.

The Riverside, California, Press, an evening paper with only United Press service, has always been a conspicuous success. Some time after 1926-1927 the Riverside Press took on The Associated Press. Within recent years it has dispensed with The Associated Press and uses only the United Press. I repeat that it is a success.

Getting back to Arizona, the Yuma membership of The Associated Press, both morning and evening, has gone begging for years. The Yuma Sun has gotten along with a United Press membership. The old morning paper that would have an Associated Press membership was switched to an evening paper with The Associated Press membership dropped in favor of a United Press membership. Yuma is a city of approximately eight thousand. In Douglas, a city of about 8,700, the evening Associated Press membership is open to anybody. In Prescott, the population a [fol. 2266] little better than 6,000, the morning Associated Press membership is open; the same is true of Nogales, a city of something over 5,000.

As a working newspaper editor and publisher, I say that I have contributed my share to the building up of Associated Press and part of it is mine. What I have helped to build up here at Tucson is worth something. It is an earned value. If membership in a cooperative organization which I have helped to build up over a long period of years can be made available to any applicant who wants to launch a paper for the purpose of accomplishing some

selfish end, e. g., political ambition, public utility, spite, or the furtherance of the Ku Klux Klan, then I must share freely a business asset that I have helped to create by hard work. This would place small publishers throughout the country at the mercy of unscrupulous business and political interests who could come in and make use of and enjoy a valuable asset that they have done nothing to create.

William R. Mathews.

Sworn to before me and subscribed to this 5th day of June, 1943. Lenna H. Burges, Notary Public. (Seal.)

[fol. 2267] — AFFIDAVIT OF FRED SCHILPLIN

STATE OF MINNESOTA,
County of Stearns, ss:

Having been sworn, Fred Schilplin, on his personal knowledge of the facts set forth, deposes as follows:

My name is Fred Schilplin, I have been in the newspaper business all my life—filling every position from a press apprentice at $2.50 a week, through foreman, reporter, editor, business manager, and part owner.

I started in the newspaper business when I was thirteen years old and I have been in it ever since. The building of the St. Cloud Daily Times has been my life work. I am now president, Editor, and publisher of the Times Publishing Company, which publishes the St. Cloud Daily Times, an evening paper in St. Cloud, Stearns County, Minnesota.

The population of Stearns County is, in round numbers, 67,000; that of St. Cloud about 25,000. Ours is the largest butter producing county in the world. Agriculture is its first and greatest industry. St. Cloud is on the Mississippi. Much hydro-electric power is developed. It is the second largest granite center in the United States, has a large paper mill, aeroplane replacement parts factory, and the general repair shops of the Great Northern Railway System.

The St. Cloud Daily Times is a member of the Associated Press. A value of such a membership is that the members realize that the Associated Press is their own news service.

It belongs to us. It is not conducted for the purpose of making money for somebody else. In my long life I have seen and studied many co-operatives. This one comes nearer approaching my ideal of a co-operation than any of the numerous others with which I have been closely acquainted. It is not conducted for the purpose of making money for some private individual or corporation. The smaller members take a pride in it and even at no little occasional expense are proud to furnish the news from [fol. 2268] their own vicinage because they know that other members do the same for them. Experience has given them confidence that the news disseminated is correct, truthful, and without bias.

A great value of an Associated Press membership to the smaller newspaper is that it places the smaller newspapers in position to give their subscribers and the community they serve exactly the same kind of a news service that is furnished the metropolitan members throughout the land. It is of further value because of its pictures, feature service, and its comics. I want to comment on this matter of comics: comics become valuable to newspapers and become popular only through continued repetition. The readers insist upon having comics. To a larger proportion than maybe I would like to admit, comics are the most important part of the paper. This is a fact and there is no use trying to fight it with the theory that it ought not to be so. If I use the Associated Press Comics, because of my membership I am assured that they will not be taken away from me.

Being adjacent to a metropolitan center which is competitive, both in business, trade, and news discrimination, a distinct advantage to the smaller paper lies in the fact that it can boldly and truthfully say to the people of its community, we can serve you with the same news as the big metropolitan newspapers, whether in Twin Cities or anywhere else as far as world, nation, and state news is concerned, *but* in addition to that we furnish you with local news of your people and mine, your interests and mine, and we can afford to give you this additional local service because we distribute news of transcendent importance about our community to all the other member newspapers of the Associated Press, who in the same way serve our paper.

It is not true that a daily newspaper cannot be successfully published without an Associated Press membership. From 1892 and for a period of many years two daily news-

[fol. 2269] papers were published in St. Cloud—The St. Cloud Daily Journal Press and The St. Cloud Daily Times. Neither of them had an Associated Press membership. Both were served by the United Press.

Fred Schilplin.

Sworn to and subscribed before me this 19th day of June 1943. Otto A. Rupp, Notary Public. (Seal.)

[fol. 2270] AFFIDAVIT OF JAMES TODD

STATE OF MISSOURI,
Randolph County, ss:

James Todd, having been duly sworn, deposes as to the truth of the following facts:

My name is James Todd. I have been in the newspaper business since 1907. My father died that year and I succeeded him to the management of the Nodaway Democrat, a weekly newspaper published in Maryville, Nodaway County, Missouri. In 1910 the Democrat, the Nodaway Forum, and the Maryville Republican were merged into one paper named The Maryville Democrat-Forum, with both daily and weekly editions. Maryville in 1910 had a population of about 5,000. During world war one it had the Western Union bulletin for a short time and then secured the International News Service—pony report. In 1925 we purchased the Tribune there in Maryville, thus making the Democrat-Forum the only daily paper. In that merger we took over the United Press service and had it until we disposed of the Maryville property in June 1928.

At his death in May 1929, I succeeded the late W. C. Van Cleve as president and general manager of the Moberly Index Printing Co., Moberly, Mo. I had been associated with Mr. Van Cleve in the Moberly property since July 1, 1919, when we had purchased and merged the Moberly Monitor and the Moberly Index. In 1925 we purchased the Moberly Evening Democrat. The name of the paper is Moberly Monitor-Index. It is published each evening except Sunday. According to Audit Bureau of Circulation, the present circulation is 6,975. It is a member of the Associated Press and has its service as well as its

features and comics. It has been a member since 1919, when it took over the membership of the former Moberly Monitor. Full wire service was taken in 1922. The Monitor-Index serves a territory comprising Randolph and the adjoining Counties of Monroe, Chariton, and Howard. There is no other daily newspaper in this County, but the [fol. 2271] great St. Louis and Kansas City papers circulate in Randolph County. They have to be reckoned with and serve to keep the Monitor-Index on its mettle. According to the 1940 census, the population of Moberly was 12,920 and that of Randolph County was 24,455. The industries of the County are agriculture, live stock, poultry, large bituminous coal mines, a strip coal field, silk hosiery plant, shoe factory, cheese, and other dairy products. It is a division point of the Wabash Railroad System.

A newspaper in a small town such as Moberly, to be successful, must be operated with constant economy. It must at all times have what I would call thrifty business management. Such a paper stresses local news coverage, but it must have enough national and world-wide news to accurately acquaint its readers with the great movements, military and civil, throughout this country and overseas. Without such news, the paper could not be successful if it were forced to depend upon its local news. Of course, such a paper could not afford to have representatives in Washington or to have reporters on the war fronts in foreign countries. To survive in the newspaper business, a paper must make a profit. Whether it should be or not, nevertheless it is a fact that a small paper must have comics and, further, it must have some features. This is true even though the paper constantly stresses the local news. For instance, the Monitor-Index for years has had a farm page each Wednesday and a church page each Saturday. This is good business, but the space thereby taken up makes it the more necessary that the outside news should be carefully filtered and then selections made. (The Monitor-Index is published every evening except Sunday.) Definitely it is not of primary importance whether the paper is a member of the Associated Press or whether it is a subscriber to the International News Service or to the United Press service. A paper can utilize but a very small part of the very large amount of news furnished by any of these services. All three of them are good. We operated the Maryville Demo-[fol. 2272] crat-Forum successfully with the International

News Service pony report. Later we operated it with success using the United Press service.

Our experience is not an isolated illustration. Kirksville, Mo. has a population of 10,080. The Daily Express in Kirksville has a circulation of 4,938. It is a good paper and for years it has used only the United Press news. It could have the Associated Press service. Independence, Mo. has a population of around 17,000. The Examiner—and it is right in the Kansas City area—is successfully run with the United Press news service. So is the Lexington, Mo. Advertiser-News. The population is about 5,500.

The definite value of a membership in the Associated Press is that it is a membership in a cooperative organization. A member even as small as my paper has a vote in the management of the Associated Press. It is a part owner. Among the directors are three who are its special representatives. If we have any complaints—and we do—we can present them and get action. We can rely on every other paper that is a member working in the interest of our paper. We do the same for them. The by-laws exact this of its members. The pride of ownership and the very fact that it is a co-operative has built up a most valuable organization. We are working for ourselves but in a spirit of loyalty that redounds to the benefit of our fellow members.

We have laboriously built up a splendid state organization. Because it is mutual, it serves us well.

A small paper that is fighting for its livelihood and competing with large papers in great cities has so much competition that it is entitled to some protection on its investment and on the reputation that it has taken years to build. If someone wishes to start a paper in a rural locality through spite at the Mayor or school board or to foster a public utility or to send his boy to Congress, our paper is jeopardized. This newcomer may not really be a newspaper man. His intent may be to run the paper [fol. 2273] temporarily and then quit. Nevertheless, we are hurt. There is a definite insurance in being able to say we have the prestige of a membership in the Associated Press and in knowing that such an adventurer cannot enjoy that service. Such an aspirant as I have described could afford the immediate financial cost of a small paper

but our membership in the Associated Press to some extent is a protection. The smaller members are entitled to protection against such fly-by-nights. They get it.

James Todd.

Sworn to and subscribed before me this 10th day of June, 1943. E. F. Gutekunst. Notary Public. (Seal).

[fol. 2274] AFFIDAVIT OF PAUL MILLER

CITY OF WASHINGTON,
District of Columbia, ss:

Paul Miller, being duly sworn, says:

I am employed by The Associated Press as Chief of Bureau at Washington, D. C. I have been connected with The Associated Press for over 10 years.

On or about August 1, 1941, at the time The Associated Press acquired Wide World Photos, Inc., from the New York Times, I became Vice President thereof and was actively in charge of its operations until the latter part of June, 1942.

The New York Times, shortly after The Associated Press acquired Wide World, furnished a list of customers which had been served by Wide World when it was operated by the New York Times. This list showed that Wide World had been furnishing a news picture service either in print or mat form to approximately 120 clients who more or less regularly subscribed to its service. Of these approximately only 60 were daily English-language newspapers published in the United States.

Of the approximately 60 daily English-language newspapers being served by Wide World, approximately only 20 subscribed to a photoprint picture service and about 40 to the mat service. We further learned that of the 40 daily English-language newspapers subscribing to the mat service only about 25 received a full matted page of news pictures every day, approximately 4 received a full page of news picture mats 3 days a week, and the balance of subscribers 1 page of mats either semi-weekly, weekly or monthly.

The clients, other than English-language newspapers published in the United States, consisted mainly of maga-

zines, news picture services, religious publications and foreign newspapers. Of the total of subscribers, only 10 had contract arrangements with Wide World.

[fol. 2275] Some time after the acquisition of Wide World, around March 1942, The Associated Press was furnished with certain financial statements of Wide World for the period January 1941 to July 30, 1941. Copies of these are attached hereto and marked Exhibits A and B. From these statements it appeared that Wide World Photos, Inc., under New York Times operation, had suffered a loss for the first six months of 1941 of a total of $11,109 and that its deficit was $141,035.33.

In contacts with the customers of Wide World, it soon was learned that the New York Times had charged very low rates for its mat service—rates which in many cases appeared to bear no relation to the actual cost of furnishing the service but to be fixed on more or less of a salvage basis.

When the service was taken over, plans were devised for specialized development of the matted pages of Wide World, and the editors undertook to shape the service into one of greater appeal and value. Meantime, higher rates were fixed consistent with the high quality of the service and cost of production. Subscribers and prospective subscribers were advised of the plans for the service with the frank explanation that whether it went ahead as planned depended altogether on whether it received sufficient response and support.

In analyzing the costs of the mat service, it was found that, despite operational economies immediately effected, it still was operating at a loss of more than $90 a week in November 1941. Actually, the loss was greater, as was found in due course, because some of the subscribers taken over from the old Wide World were in arrears at the time of acquisition and continued as irregular accounts until it was found that they could not be brought to a regular payment basis.

By December 1941, analysis of the operating cost and income of the mat service as reported by the Treasurer showed that the operating cost was running at approximately $656 per week with an income from subscribers of [fol. 2276] approximately $481 a week, resulting in a deficit of approximately $175 a week. It was decided, however, to

continue with the reorganization and attempted improvement of the service, the plans involving its further development as a quality-picture page mat, the value of which would lie chiefly in its merit in augmentation of a mat service in the spot picture field.

On December 10, 1941, notice was given to the mat subscribers who were not members of The Associated Press that the mat service could not be continued to them after the end of the year.

Every effort was made, however, to accommodate all of these customers in every way feasible.

Some of the customers to whom notice was given said that the notice was too short in that they feared they could not arrange for another service in the length of time. Accordingly, all such were told that they would be carried longer.

Deficits continued, and after Pearl Harbor salesmen for the mat service reported that the war and prospects of restrictions to come had sharply restricted interest in the full-page matted feature. This led to the conclusion that the deficits could not be overcome in a foreseeable reasonable period, and it, therefore, was decided to discontinue the mat service entirely as of February 7, 1942, to all customers, whether members of The Associated Press or not.

The photoprint service of Wide World, which as noted was the principal and primary service, was continued to all subscribers, whether members of The Associated Press or not.

To the best of my recollection, no newspaper customer of Wide World was ever informed that he could not be serviced by Wide World after its acquisition by The Associated Press solely because of the change in ownership. In fact, some of the customers of Wide World print service who continued to take the service were not members of The Associated Press, such as the newspaper PM, owned and [fol. 2277] published by Marshall Field in the City of New York. Some of the subscribers to Wide World voluntarily discontinued the service of Wide World after The Associated Press acquired it, and took other services, such as Acme or International News Photos.

Paul Miller.

Sworn to before me this 16th day of June, 1943. W. J. Quinn, Jr., Notary-Public. (Seal.)

Exhibit A

Wide World Photos, Inc.

Statement of Income and Profits and Loss, Seven Months Ended July 31, 1941

Income		
Wide World		$194,892.31
Studio		15,111.64
Wire Photos		20,259.92
Commercial		14,024.11
Suspense Accounts		169.82
Profit on Sale of Equipment		35.97
Service		87,493.00
Miscellaneous		547.26
		332,590.30
Expenses		
Wide World	262,109.40	
Studio	22,198.76	
Wire Photos	43,202.27	
Commercial	13,624.30	341,134.73
Operating Loss		*8,544.43*
Profit & Loss Charges		
Adjustment Foreign Accts.	827.28	
Adjustment City Gross Receipt Tax	558.75	
Legal Fees— Patent Protection	1,178.54	2,564.57
Loss for the Period		*11,109.00*

Auditing Dept.
Oct. 21, 1941
SJB/AM

[fol. 2278] EXHIBIT B

Wide World Photos, Inc.

Balance Sheet
July 31—1941

Assets		
Cash	$15,775.95	
Notes Rec.		
Accts Rec. Photos	37,601.22	
Suspense	1,183.22	
Coll. Atty.	371.30	
Loans, N. Y. T.	58,100.00	
Deposit Ledger	1,232.08	
Invest N. Y. T. Ltd.	24,251.25	
N. Y. T. S. A.		
Advances	1,377.51	
Byrd Expedition	*6,102.11*	
Vichy Disbt. A/C	528.09	
Prepaid Expense	1,799,06	
Stationery	452.01	
Stores	3,192.09	
Photo Trans, Proc.	1,704.16	
Patent Protection	83.84	
Equipment	53,628.39	
Times Tele. Equipment Inc.	57,067.19	$252,234.75
Liabilities		
Acct. Payable	18,954.97	
Taxes Payable	2,614.02	
Payroll Accr.		
Loans—N. Y. T.	190,534.90	
Royalty Reserve	1,375.00	
Uncredited Cash	432.98	
Reserve Bad Debts	770.00	
Reserve Coll. Atty.	371.30	
Reserve Depreciation	38,683.33	
Capital	122,469.80	
Surplus For. Corpn.	28,183.18	
Surplus or Deficit	*141,035.73*	
Profit or loss	*11,109.00*	$252,234.75

Auditing Dept.
Oct. 20, 1941
SJB/AM

[fol. 2279] AFFIDAVIT OF MARY BAUER

STATE OF NEW YORK,
County of New York, ss:

Mary Bauer, being duly sworn, says:

I am employed by The Associated Press and have been so employed for the last eleven years. I am at present in charge of the assessment records of The Associated Press.

I have read Exhibit D referred to in the answer of The Associated Press to plaintiff's interrogatory No. 103, described therein as the names of customers of Wide World Photos, Inc., at the time The Associated Press acquired the stock of Wide World Photos, Inc.

I have checked the names of all English-language daily newspapers published in the United States appearing on Exhibit D against the assessment records of The Associated Press to determine which of such newspapers other than the New York Times were members of The Associated Press as of August 1, 1941, and of such, whether or not they took as of that date the newsphoto service of The Associated Press.

Attached hereto and marked Exhibit A is a list of the English-language daily newspapers published in the United States listed on Exhibit D which the records of The Associated Press show were members thereof as of August 1, 1941, and whether or not such newspapers were taking any form of news picture service of The Associated Press, such as Telemats, Wirephoto or Print Mail Service.

The name of "Southern California Associated Newspapers" which appears on Exhibit D as a client of Wide World has not been included in the check I made for the reason that I have no information available indicating which Associated Press member papers, if any, are included in that description and if there are, whether or not they received Wide World Service from the New York Times.

Mary Bauer.

Sworn to before me this 17th day of June, 1943. William M. Duson, Notary Public. (Seal.)

[fol. 2280] EXHIBIT A

Daily English Language Newspapers—Customers of the Photo Service of Wide World Photos, Inc., Which Were Members of The Associated Press as of August 1, 1941 and AP Newsphoto Service Then Subscribed to by Such Associated Press Members:

Baltimore Sun	AP Wirephoto
Boston Herald Traveler	AP Wirephoto
Buffalo Courier Express	AP Wirephoto and Telemats
Chicago Daily News	AP Wirephoto
Chicago Daily Times	AP Wirephoto
Christian Science Monitor	
Cleveland Plain Dealer	AP Wirephoto
Detroit News	AP Wirephoto
Duluth Herald & News Tribune	AP Telemats
Los Angeles Examiner	AP Wirephoto
Minneapolis Tribune	AP Wirephoto
Pittsburg Post-Gazette	
Providence Journal	AP Wirephoto and Telemats
Springfield Republican	
Los Angeles Times	AP Wirephoto
Toledo Blade	AP Telemats
Youngstown Vindicator	AP Wirephoto
St. Louis Globe Democrat	AP Wirephoto

Daily English Language Newspapers—Customers of the Mat Service of Wide World Photos, Inc., Which Were Members of The Associated Press as of August 1, 1941 and AP Newsphoto Service Then Subscribed to by Such Associated Press Members:

Arkansas Gazette	AP Wirephoto
Charlestown Daily Mail	
Binghamton Press	AP Telemats
Chattanooga Times	AP Telemats
Danville Register Bee	AP Telemats
Easton Express	AP Telemats
Elizabeth Daily Journal	AP Telemats
[fol. 2281] Gloversville Leader Republican & Herald	AP Telemats

Greenville News	AP Telemats
Ithaca Journal	
Lancaster New Era	AP Telemats
Lynchburg News & Advance	AP Telemats
Nebraska State Journal	AP Telemats
Reading Times	AP Telemats
The Record newspapers	AP Telemats
San Bernadino Sun-Telegram	AP Telemats
Schenectady Union Star	AP Telemats
Scranton Times	
Spokane Spokesman-Review	AP Wirephoto
Lewiston Sun Journal	
Wilmington News Journal	AP Telemats
Philadelphia Record	AP Newsphoto
New Britain Herald	AP Telemats
Pawtucket Times	AP Telemats
Pasadena Star News	AP Telemats

[fol. 2282] AFFIDAVIT OF BRUCE RAE

STATE OF NEW YORK,
County of New York, ss:

Bruce Rae being duly sworn, deposes and says:

I am and have been for some years assistant managing editor of The New York Times. I have been in the employ of The New York Times since 1909, and since 1939, included among my duties as assistant managing editor, I have been in charge of pictures used in the daily New York Times and the Sunday News Section of The Times. I am accordingly familiar with Wide World Photos, Inc. (hereinafter called Wide World), particularly during the latter years prior to its sale by The New York Times to the Associated Press.

Wide World was a wholly owned subsidiary of The New York Times. It was formed many years ago by the late Adolph S. Ochs, primarily for the purpose of furnishing pictures for use by The New York Times. As one of its operations, Wide World developed and printed pictures that were collected. The expense of the operation of such a picture-gathering agency and the collection, development and printing of such pictures was so substantial that Wide

World, in order to reduce the cost to The New York Times, proceeded to sell and offer for sale a picture service to newspapers and other agencies throughout the United States and in other parts of the world.

After Arthur Hays Sulzberger, the present publisher of The New York Times, succeeded the late Adolph S. Ochs, he proceeded to urge The New York Times to dispose of or to discontinue the various activities theretofore engaged in by The Times and not directly involved in the publication of the newspaper. For example, Current History Magazine, Midweek Pictorial and The Annalist were all divorced from Times operation. This left only Wide World and The New York Times Index, the latter being a monthly and annual digest of the news appearing in The New York Times, and [fol. 2283] therefore an integral and important part of the maintenance of The New York Times as the newspaper of record.

At the time Wide World was organized and for many years thereafter it rendered a most important service to The New York Times, of a character which The New York Times could not obtain from the Associated Press. However, in the 1930s the Associated Press developed its own picture service and was thereafter in a position adequately to service The New York Times with necessary pictures.

It should be noted that to all practical intents and purposes there is today no such thing as an exclusive picture. It may, it is true, occasionally happen that some lone photographer is on the spot and obtains an unique picture, but this is such a rare occurrence that it can be disregarded in the day-to-day operation of a newspaper. Normally, a whole group of photographers are on the scene of any important event and no one has an exclusive picture. This became an important factor in concluding that the Associated Press service would be entirely adequate for The Times. Furthermore, and perhaps most important, The Times was paying much more for its pictures through the operation of Wide World than The Times would have paid by subscribing to the Associated Press picture service plus the Associated Press wire photo service. The Times also could always supplement its pictures if necessary through purchases from International News Photos and many other picture agencies.

The pictures which The Times obtained from Wide World were excellent pictures. From the technical standpoint the operation was of the highest order. Wide World had developed its own system of wire transmission of photographs which in many respects was superior to the system employed by the Associated Press. The customers to whom Wide World sold pictures were satisfied customers. But the cost to The New York Times of the Wide World operation was unnecessarily excessive.

[fol. 2284] I personally conducted a survey, at the request of the publisher of The Times, of the Wide World operation and the cost to The New York Times thereof. I reached the conclusion that the Wide World operation was costing The New York Times from $200,000 to $500,000 a year over a number of years. At no time was Wide World a profitable operation, since in every year its expenditures exceeded its income. I was convinced and recommended that by subscribing to the Associated Press wire photo service in addition to the regular picture service The New York Times would save approximately $200,000 a year on pictures. It was, therefore, concluded to endeavor to dispose of Wide World.

One valuable asset of Wide World was its picture file built up over the years. When some person dies who has not been prominent in the news during recent years but who once was, it is possible to turn to such a file and obtain a picture. When a news event occurs in some out of the way place, it is often possible to procure some picture from such a file. Wide World had a very complete picture file, while the Associated Press file, due to its late start, was considerably less adequate.

There ensued negotiations between the Associated Press and Wide World, which culminated in an agreement whereby the Associated Press purchased from The New York Times for the sum of $250,000 all of the capital stock of Wide World, The Times retaining its wire photo transmission equipment and manufacturing process and also retaining free access to the picture file it was transferring to the Associated Press. The Associated Press obtained through its purchase of the stock and news photograph business of Wide World, the name and good will of Wide World, and its trademark registration, as well as Wide World's then existing

picture contracts. The Times agreed for a period of fifteen years following July 31, 1941, the date of the sale, not to sell news pictures in North, Central and South America and [fol. 2285] the possessions of the United States, and to discontinue the use of the name Wide World Photos throughout that area.

I believe that since July 31, 1941 The Times has been adequately serviced with pictures at much less cost than if it had continued to operate Wide World.

Bruce Rae.

Sworn to before me this 21st day of June, 1943.
Samuel Black, Notary Public. (Seal.)

[fol. 2286] AFFIDAVIT OF J. A. MCNEIL

CITY OF TORONTO,
Province of Ontario,
Dominion of Canada, ss:

J. A. McNeil, being duly sworn, deposes and says that he is the General Manager and Secretary of The Canadian Press, that he has personal knowledge of the following facts and that the following facts are true:

Annexed hereto and marked Exhibit 1 is a copy of the charter and by-laws, as amended to the present time, of The Canadian Press, a corporation organized under the laws of the Dominion of Canada.

In addition to the refusal of applications for membership made prior to 1917, when The Canadian Press assumed its present form, and in addition to applications refused because not in proper form or not accompanied by tender of admission fees or not considered eligible for membership at all, the following applications for membership in The Canadian Press have been refused at the times and for the reasons stated:

April 30, 1923—Application by Andrew Haydon for membership of the projected Ottawa Evening Capital. This was refused on the ground that a sixth daily paper

was not required in Ottawa in the interests of the citizens and was not a commercially feasible proposition.

October 8, 1923—C. Cliffe's application for membership of the Sault Ste. Marie News, Ontario, refused because the Board of Directors did not think there was sufficient reason for a second member at Sault Ste. Marie.

April 28, 1925—A protest by the St. John Telegraph-Journal was sustained and the application of Messrs. O'Leary and Conlon for morning membership was not granted.

April 28, 1930—Application by R. A. Addison, of Sudbury Citizen, for evening pony paper membership. This was refused on the ground that the field was already be-
[fol. 2287] ing covered by an existing member who had requested a leased wire service in order to resume daily publication.

October 22, 1934—Application of M. O. Campbell for an evening paper leased wire membership in Windsor, Ontario, was refused because the Board of Directors was convinced the granting of the application would not be compatible with sound business principles and that an establishment of the proposed newspaper was not possible as a commercially profitable organization.

/s/ J. A. McNeil.

Sworn to before me this 11th day of June, 1943.
John Robinette, Notary Public. (Seal.)

[fol. 2288] EXHIBIT 1

The Canadian Press

[charter and by-laws]

Charter

Statutes of Canada

13-14 George V, Chapter 102

An Act Respecting

Canadian Press Limited

(Assented to 13th June, 1923)

Preamble.

Whereas Canadian Press Limited has by its petition represented that it is incorporated under the *Companies Act*, chapter seventy-nine of the Revised Statutes of Canada, 1906, by Letters Patent dated the eighteenth day of November, nineteen hundred and ten, for the purposes and with the powers therein mentioned and has prayed that its name may be changed to "The Canadian Press," and that it may be converted into a corporation without share capital, that the terms of membership therein may be defined, and its powers otherwise amended; and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

Change of name and rights saved.

1. The name of the Company mentioned in the preamble, hereinafter called "the Corporation", is changed to "The Canadian Press", but such change of name shall not in any way impair, alter or affect the rights, powers or liabilities of the Corporation, nor in any way affect any suit or proceeding now pending or judgment existing either by or in favour of, or against the Corporation which, notwithstanding such change of name, may [fol. 2289] be prosecuted, continued, completed and enforced as if this Act had not been passed.

Share capital

2. (1) The Corporation is hereby converted from a company with share capital to a corporation without share capital.

Qualification for membership.

(2) Every person who at the time of the passing of this Act is the holder of one share of its capital stock of the par value of one hundred dollars and who has paid ten per centum of such par value shall be a member of the Corporation without further payment.

Membership in the Corporation.

3. Membership in the Corporation shall be confined to sole or part owners of daily newspapers published in Canada, to specially appointed employees of such owner or owners, and to executive officers or other specially appointed officers or employees of incorporated companies, being the owners of daily newspapers published in Canada, and the membership of such sole or part owners, executive officers or other specially appointed officers or employees shall continue only so long as the newspapers which they represent comply with the by-laws of the Corporation from time to time in force regarding membership, news service and the affairs generally of the Corporation, and each daily newspaper published in Canada shall be entitled to only one representative as a member of the Corporation at any one time.

Business not to be for gain

4. The business of the Corporation shall not be carried on for the purpose of gain and any surplus or profit arising from the Corporation's business shall not be distributed among its members but shall be applied in furtherance of the Corporation's activities in such manner as the directors shall decide.

Provisions of Companies Act not applicable to Corporation.

5. The provisions of sections seven, seven A, seven B, eight, nine, twenty-six, thirty-three, thirty-eight to forty-three, both inclusive, forty-[fol. 2290] three A to forty-three D, both inclusive, forty-five to fifty-four, both inclusive, fifty-four A to fifty-four F, both inclusive, fifty-five to sixty-eight, both inclusive, sixty-eight A, seventy to seventy-eight, both inclusive, eighty to eighty-four, both inclusive, eighty-six to eighty-eight, both inclusive, paragraphs (d) and (e) of section eighty-nine, section ninety, ninety-four A to ninety-four C, both inclusive, one hundred and one to one

hundred and four, both inclusive, paragraphs (j) and (k) of subsection two of section one hundred and five, and sections one hundred and fourteen, one hundred and fifteen of the *Companies Act* shall not apply to the Corporation; provided however, that any amendments which may hereafter be made to the *Companies Act* which are applicable to Corporations without purpose of gain shall apply to the Corporation.

6. The remaining provisions of Part I of the *Companies Act* shall apply to the Corporation and in applying such sections:

Provisions of Part I of the Companies Act applicable.

(a) the word "company" shall be deemed to include the Corporation;

(b) the word "shareholder" shall be deemed to mean a member of the Corporation;

(c) a provision that the votes of shareholders representing a specified proportion in value of the stock of the company shall be requisite for any purpose shall be deemed to mean that the votes of a like proportion in number of the members of the Corporation are requisite for that purpose.

Powers of Corporation.

7. The Corporation shall have the following powers in lieu of those conferred by the Letters Patent by which it was incorporated:

Business of news agency, etc.

(a) to carry on the business of a news agency in all its branches and for that purpose to collect and gather news by cable, telegraph, [fol. 2291] telephone, wireless or any other means either through its own agents or through its members and the newspapers owned or represented by them or by any other appropriate means and to distribute such news on a co-operative basis among and for the use of its members for publication in newspapers owned or represented by them subject to such rules, regulations and conditions as may be prescribed from time to time by the by-laws of the Corporation;

Contracts, etc.

(b) to enter into contracts and arrangements with any other person, firm or corporation carrying on a like business for the exchange of news;

Means for transmission of news, etc.

(c) to purchase, install, lease, own and operate means for the transmission of news including telephones, telegraph instruments, wireless instruments and other apparatus for long distance communication;

Shares, etc., in other companies

(d) to purchase, take or otherwise acquire by original subscription or otherwise, and to hold, sell or otherwise dispose of shares of capital stock whether common or preferred, debentures, bonds, and other securities in any other company or corporation having objects and powers similar in whole or in part to the objects and powers of this Corporation, or carrying on any business capable of being conducted so as to directly or indirectly benefit this Corporation and while holders of such shares to exercise all the rights and privileges of ownership including the right to vote thereon through such agent or agents as the directors may appoint notwithstanding the provisions of section forty-four of the *Companies Act*;

Amalgamation

(e) to amalgamate with any other company or corporation having objects similar to those of this Corporation;

General

[fol. 2292] (f) to do all such acts, matters, and things as are incidental or necessary to the due attaining of the above objects or any of them.

By-laws

8. The Corporation may from time to time make, repeal, amend, or re-enact by-laws or regulations, not contrary to law or inconsistent with the provisions of this Act, providing for the conduct of the affairs of the Corporation, and particularly for the following matters:

Membership

(a) conditions of membership;

(b) mode of holding meetings, rights of voting and of making, repealing or amending by-laws or regulations; Meetings, etc.

(c) appointment and removal of the directors, trustees, committee of officers, and their respective powers and remuneration; Appointments and remunerations.

(d) provision for audit of accounts and appointment of auditors; Audit.

(e) determination whether or how members may withdraw from the Corporation; Withdrawal of members.

(f) provision for custody of seal and certifying of documents issued by the Corporation. Seal, etc.

[fol. 2293] BY-LAWS

ARTICLE I

Objects

The Canadian Press is the mutual, co-operative and non-profit-making news gathering and distributing association of its members, being daily newspaper publishers of the Dominion of Canada, its functions being set forth in the Statute of Canada by which it was established as a corporation without share capital, 13-14 George V, Chapter 102, assented to June 13, 1923, as follows: Association of daily newspapers. Its functions by statute.

(a) To carry on the business of a news agency in all its branches and for that purpose to collect and gather news by cable, telegraph, telephone, wireless or any other means either through its own agents or through its members and the newspapers owned or represented by them or by any other appropriate means and to distribute such news on a co-operative basis among and for the use of its members for publication in newspapers owned or represented by them subject to such rules, regulations and conditions as may be prescribed from time to time by the by-laws of the Corporation: To collect news for members. Basis being co-operative.

To make contracts.

(b) To enter into contracts and arrangements with any other person, firm or corporation carrying on a like business for the exchange of news;

To buy equipment.

(c) To purchase, install, lease, own and operate means for the transmission of news including telephones, telegraph instruments, wireless instruments and other apparatus for long distance communication;

To hold property in similar enterprise.

(d) To purchase, take or otherwise acquire by original subscription or otherwise, and to hold, sell or otherwise dispose of shares [fol. 2294] of capital stock whether common or preferred, debentures, bonds, and other securities in any other company or corporation having objects and powers similar in whole or in part to the objects and powers of this Corporation, or carrying on any business capable of being conducted so as to directly or indirectly benefit this Corporation and while holders of such shares to exercise all the rights and privileges of ownership including the right to vote thereon through such agent or agents as the directors may appoint, notwithstanding the provisions of Section 44 of the Companies Act;

Or to amalgamate.

(e) To amalgamate with any other company or corporation having objects similar to those of this Corporation;

Also to do necessary things.

(f) To do all such acts, matters and things as are incidental or necessary to the due attaining of the above objects or any of them.

ARTICLE II

Head Office

Head Office at Toronto.

The head office of the Corporation shall be located in the City of Toronto.

ARTICLE III

Membership

Owners or their representatives eligible for membership.

Section 1. *Who are Eligible*—The sole or part owner of a daily newspaper published in Canada, an executive editor or other specially appointed employe of such owner or owners; an executive editor, an executive officer, or other specially appointed officer or employe of an incorporated company, being the owner of a daily newspaper published in Canada, shall, after sub- [fol. 2295] mitting the evidence hereinafter required, be eligible to election as a member of this Corporation, in the way and upon and subject to the conditions, limitations, restrictions and penalties hereinafter specified; provided that not more than one person at a time shall be elected by reason of connection with any one newspaper. No other person shall be eligible. One person can represent only one newspaper. Where two or more newspapers are in the same ownership, they must be represented by separate persons, each one of whom must be properly qualified.

One member for one newspaper.

Newspaper relationship necessary.

Section 2. *Relation of Members to Newspapers*—Every member shall be eligible to election and to enjoy the privileges of membership solely by virtue of his relation to the newspaper named in his certificate of membership.

Must prove ownership, representation or official position.

Section 3. *Proof of Eligibility*—Every applicant for membership in this Corporation shall file with the General Manager such proof as may be required by the Board of Directors of his ownership or part ownership of a daily newspaper published in Canada, or of his specially appointed representation of such owner or owners, or of his official position as an executive or other officer or employee in an incorporated company owning such a newspaper. In case he shall be only a part owner of such newspaper he shall also file the consent of the co-owner or co-owners to his election. In case he shall be only an employee upon such newspaper, or shall be an exec-

utive or other officer or employe of an incorporated company, owners as aforesaid, he shall file also a certificate to that effect in such form as may be required by the Board of Directors.

When member ceases to be qualified.

Section 4. *Change of Membership Representation*—In case a member shall cease in any way to be qualified for membership, due to death, change of ownership, resignation or any other [fol. 2296] cause whatsoever, he shall, forthwith and without action by this Corporation or by the Directors thereof, cease to be a member, and his certificate of membership shall be void. If however he was not at the time when he ceased to be a member under any process of discipline for violation of any By-law, rule, regulation or contract of the Corporation, then his duly appointed successor, if qualified for membership, shall become entitled to membership, and upon submitting such proof of his eligibility as may be required by the Board of Directors, the said successor shall at once become a member, with all the privileges and subject to all the duties of membership, and shall be entitled to receive a new certificate of membership without any consideration or remuneration being paid therefor.

Eligible successor entitled to membership.

Membership cancelled with break in connection.

Section 5. *Cancellation of Membership*—When a daily newspaper represented in this Corporation ceases to carry on business or withdraws its representative from membership in the Corporation or ceases to purchase a news service therefrom, then the certificate of membership in respect of such newspaper shall become void without any consideration or remuneration being paid therefor.

New certificate for changed name.

Section 6. *Change of Name*—When the name of any newspaper mentioned in any membership certificate shall be changed in any respect, the member holding such certificate shall thereupon give written notice of the change to the General Manager, and shall return his certificate of membership to be cancelled, whereupon a new certificate in like terms shall be issued, designating the newspaper by its new name.

Section 7. *Cessation of Rights and Interests*— All rights and interests of any member in the privileges of the Corporation shall cease with the termination of his membership for any cause whatsoever.

All rights end with loss of membership.

[fol. 2297] Section 8. *Continuous Publication*— The publication required to be made by every member shall be that of a bona fide daily newspaper, continuously issued, as specified in the membership certificate, to a list of genuine paid subscribers. A publication conducted for the purpose of preserving membership and not for public sale and distribution shall not be, or be regarded as, a sufficient compliance with this By-law. Cessation of publication for 30 days continuously shall automatically void membership. Cessation of publication for less than 30 days, followed by resumption of publication and another cessation of one week or more within the six months following, shall automatically void membership. Provided, however, that where cessation of publication has been due to causes beyond control of the member, such as a strike, fire, riot, or act of God, the membership shall be continued pending action by the Board of Directors.

Bona fide daily paper must be published.

Cessation for 30 days voids membership.

But not if cause beyond control of member.

Section 9. *Form of Certificate*—To each member there shall be issued a certificate of membership in the Corporation, signed by the President and by the Secretary and bearing the corporate seal. The certificate shall designate the newspaper for which the member shall be entitled to receive the news reports of this Corporation, until he shall cease to be a member, or until his right shall be suspended or terminated under these By-laws; it shall specify the language in which the newspaper is to be printed, whether it is a morning or evening newspaper, and the place of its publication, which shall be the place at which the paper is printed; it shall state the obligation of the member to furnish the news of a prescribed district, and to pay the regular dues and other assessments as from time to time they may be

Member to receive certificate.

Designating newspaper.

Also language, time and place.

And member's obligations.

fixed by the Board of Directors; it shall state that the holder thereof has assented to and is in all respects subject to and bound by the By-laws at any time in force; in other respects it shall be in [fol. 2298] such form and shall contain such provisions as shall be prescribed by the Board of Directors; it shall not be transferable.

Non-daily publishers may be associate members.

Section 10. *Associate Members*—Owners or publishers of newspapers published not more than five times each week, desiring a news service from The Canadian Press covering their days of publication, may be admitted to Associate Membership on terms to be laid down by the Board of Directors, subject to the unanimous consent of members within their district, but such Associate Members shall not have any vote.

ARTICLE IV

Admission of Members

Widest possible membership.

Considering conditions in district.

Section 1. *Conditions Governing New Memberships*—Membership in The Canadian Press shall be open to the widest extent compatible with the expectation of an applicant being able to establish a newspaper as a self-sustaining business enterprise. No application shall be granted except under conditions which give reasonable assurance that the newspaper can be permanently established.

Elected by Board.

Two-thirds majority.

Section 2. *Election of Members*—Members may be elected at any regular meeting of the Board or at a special meeting called for that purpose. The affirmative vote of not less than two-thirds of the Directors present at such meeting and a majority of the whole Board shall be necessary for the election of the new member. The Board may require the presence of the applicant and of any member who has made representations for or against the application.

Amount of entrance fee.

Section 3. *Membership Fee*—Applicants for membership or associate membership in a city or town in which there is an existing membership

[fol. 2299] shall pay an entrance fee equal to thrice the national assessment and fixed charges levied against the district in which he seeks membership, provided that for a Pony membership the entrance fee shall not be less than $5,000.00 and for Leased Wire membership shall not be less than $10,000.00 in a city or town the population of which is under 15,000; nor less than $15,000.00 in a city or town the population of which is between 15,000 and 25,000; nor less than $25,000.00 in a city or town the population of which is between 25,000 and 40,000; nor less than $35,000.00 in a city or town the population of which is between 40,000 and 100,000, nor less than $50,000.00 in a city or town the population of which is over 100,000, the population in every case to be determined according to the last Dominion census.

Scale according to population.

Applicants for membership or associate membership in a city or town in which there is no existing membership shall pay an entrance fee of $500.00, but this shall not apply to applicants for membership for a morning newspaper in a city or town where there is an existing evening paper membership, nor to applicants for membership for an evening newspaper in a city or town where there is an existing morning newspaper membership, in either of which cases the full membership fee shall be payable.

Except where there is no other member.

There shall accompany every application for membership a marked cheque for the amount of such entrance fee which shall be returned to the applicant in the event of his application for membership being refused.

Marked cheque with application.

Section 4. *District of Application*—An applicant for membership to publish a newspaper within a radius of 10 miles from the corporate limits of a city or town where a membership is held, shall pay the same entrance fee as if he proposed to publish within that city or town.

District affected by new application.

[fol. 2300] Section 5. *Membership Committee*—At the first meeting in each year of the newly-

Committee on applications.

elected Board of Directors, a Committee of six Directors, including the President, shall be appointed to deal with applications for membership throughout the year. The territorial divisions of the Dominion of Canada shall be represented on such Committee in the following manner, namely, the Maritimes, one member; Ontario and Quebec, two English language members and one French language member; the Prairie, one member; British Columbia, one member. Any member of the Committee directly or indirectly interested in newspaper publishing in the city or town from which an application originates shall not act on the Committee with respect to that application, and his place shall be taken by a substitute to be appointed by the President from the same territorial division. Four members of the Committee shall form a quorum.

Interested member not to act

Quorum of four

Written application in advance

Section 6. *Application for Membership*—Each applicant for admission shall present an application in writing to the General Manager at least 30 days before the next ensuing meeting of the Board of Directors. On receipt of such application, the General Manager shall notify all members of the Corporation and shall arrange for a meeting of the Membership Committee to be held immediately in advance of the next ensuing meeting of the Board of Directors.

Members to be notified

Committee investigates conditions

Section 7. *Duties of the Membership Committee*—It shall be the duty of the Membership Committee to consider every application. The Committee may require the presence of the applicant, who shall be prepared to furnish full information. At the conclusion of the inquiry the Committee shall report to the Board of Directors.

Member may make representations

Section 8. *Members May Be Heard*—At any time not later than 10 days before the date of the meeting at which an application is to be con- [fol. 2301] sidered, any member may file with the Secretary representations in writing against the application, which shall be considered by the

Membership Committee and by the Board of Directors, and such member may appear in person before the Membership Committee. Any member may make representations in writing or in person to the Board, either for or against the application.

Time limit for acceptance of news service.

Section 9. *Receipt of and Payment for News Service*—Upon acceptance of an application for membership, the Board of Directors shall fix a period not exceeding two months from the date of such acceptance within which the newly-elected member or associate member must accept the news service specified in his application. In the event of failure to do so the membership shall be automatically cancelled at the end of the period fixed by the Board, provided however, on proof of ability to begin publication within a further definite period, the Board may in its discretion extend the membership for such time as it may fix.

Members deemed to have assented to By-laws.

Section 10. *Members' Assent to By-laws*—Whether or not they have signed the roll of members, all members shall be deemed to have assented to these By-laws and to have agreed to be bound thereby and by any amendments which shall be made thereto from time to time.

Directors may reduce fee in vacant field.

Section 11. *Remission of Fee*—Where it is deemed to be in the interests of the Corporation to admit a new member, the Board of Directors may in its discretion, and with the concurrence of members within a 50-mile radius, remit or reduce the entrance fee payable for membership as fixed by Section 3 of this Article. The General Manager, with the concurrence of members within a 50-mile radius, and subject to the approval of a meeting of the Finance Committee, may at any time grant an interim news service to a non-member for a period of not more than six months or [fol. 2302] until the next meeting of Directors, upon such terms and conditions as the Finance Committee may deem advisable, and such interim news service may, with the approval of the Board of Directors, be renewed pending application for membership.

ARTICLE V

Voting Power of Members

Member has one vote.

Section 1. *Vote in Person or by Proxy*—At all annual and special general meetings of the Corporation each member may cast one vote by virtue of his membership, either in person, or by a duly executed proxy in the hands either of a person properly qualified to represent his newspaper, or of another member. No salaried officer or employe of the Corporation shall hold a proxy or vote upon the same.

In person or by proxy.

Decision by majority present.

Section 2. *Majority of Votes Governs*—All questions at the annual or special general meetings of the Corporation shall be decided by the majority of votes of the members present or represented by proxy.

Ballot may be demanded.

Section 3. *Open Vote or Ballot*—The voting for the election of Directors and for all other purposes shall be by open vote, unless a ballot be demanded.

ARTICLE VI

Annual and Special General Meetings

Directors fix annual meeting.

Section 1. *Date and Place*—The annual meeting of the members shall be held at such place and on such day and hour in each year as the Directors may appoint, to receive the annual report, to elect Directors for the ensuing year, and for all other business and general purposes relating to management and affairs of the Corporation.

Public notice not necessary.

[fol. 2303] Section 2. *Notice of Members' Meetings*—No public notice or advertisement of members' meetings, annual or special, shall be required, but notice of the time and place of such meetings shall be given by the Secretary by circular addressed and mailed to each member at his last known post office address, and deposited in the post office at least 16 days before the holding of such meeting, or by telegraph at least

Notice in advance.

eight days before the holding of such meeting. Such notice may be in general terms, but if the meeting is a special general meeting, then such notice shall contain a statement of the purposes for which such meeting is to be held. Provided always that a meeting of members may be held at any time and at any place, without notice, if all the members are present in person or represented thereat by proxy, or if the absent members shall have signified their assent in writing to such meeting being held, and at such meeting any business may be transacted which the Corporation in annual or special general meeting may transact.

To state purposes of special meeting.

Notice may be waived.

Section 3. *If Annual Meeting Not Held on Prescribed Date*—If for any cause the annual meeting of the members shall not be held on the day appointed, or shall be held without legal notice having been given, or if from any cause the election of Directors shall not take place on the day fixed by the By-laws for that purpose, it shall be the duty of the Directors, who shall remain in office until their successors are duly elected, to cause a special meeting of members to be called and held within one month from the date on which the annual meeting should have been held, for the purpose of transacting the business of the annual general meeting, and at such meeting the Directors may be elected, and all other matters and things may be passed upon and done as if such meeting were in fact the annual general meeting of the members of the Corporation.

Directors call special meeting if annual meeting not held or held without notice.

Business of annual meeting may then be transacted.

[fol. 2304] Section 4. *Meetings May Be Adjourned*—Any meeting of members may be adjourned from time to time, and such business may be transacted at such adjourned meeting as might have been transacted at the original meeting from which the adjournment took place.

Adjourned meeting may transact regular business.

Section 5. *When Special General Meetings May Be Called*—Special general meetings of the members may be called whenever the Directors deem expedient, and it shall be the duty of the

Directors may call special general meeting.

Must do so when required by 10 members.

Directors to call a special general meeting of the members when required in writing so to do by 10 of the members of the Corporation for the transaction of such business as shall be specified in such requisition and in the notice calling the meeting. Such requisition may consist of several documents in like form, each signed by one or more of the requisitionists.

Quorum of nine members in person.

Section 6. *Quorum at Members' Meetings*—The quorum for the transaction of business at all annual and special general meetings of the Corporation shall consist of nine members present in person.

President, Vice-President or Honorary President to take chair.

Section 7. *Who shall be Chairman*—The President of the Corporation, or, in his absence, or if he declines to take the chair or retires from the chair, one of the Vice-Presidents or the Honorary President shall be entitled to take the chair at every meeting of members. If the President, the Vice-Presidents and the Honorary President be not present at such meeting, the members present may choose one of their number to act as Chairman.

Secretary to circulate minutes.

Section 8. *Minutes of Members' Meetings*—The Secretary shall make an accurate report of the proceedings of the annual and special general meetings of the members of the Corporation which shall be certified by the Chairman, and shall mail [fol. 2305] printed copies to all members. The Secretary shall send notice of their appointments to members elected or appointed to any committee, divisional advisory board or deputation of the Corporation at any annual or special general meeting.

And notify members of appointments.

ARTICLE VII

Addresses of Members

Member's name and address to be registered.

The name and address of each member shall be entered in the register, and the Secretary shall be notified of any change. Until such notice is

received the last known address appearing in the last register shall be deemed the last known post office address.

ARTICLE VIII

Board of Directors, Their Duties and Powers

Annual meeting elects Directors.

Section 1. *Directors Elected by Members*—A board of 21 Directors, of whom five shall form a quorum for the transaction of business, shall be elected by resolution at the annual general meeting of the members and the Directors so elected shall choose from among themselves at the first meeting after their election, a President, a First and a second Vice-President. The Board shall also appoint such other officers as shall be deemed necessary for the management of the business.

Who choose officers.

Must be members.

Section 2. *Who May be Directors*—Only members of this Corporation shall be eligible to serve as Directors.

Fixed number for each territorial division.

Section 3. *Territorial Representation on the Board*—The territorial divisions of the Dominion of Canada shall be represented on such Board of Directors in the following manner, namely, the Maritimes, three members; Quebec, four members, of whom two shall represent French lan- [fol. 2306] guage newspapers; Ontario, six members; Manitoba and that part of Ontario west of and including Port Arthur, two members; Saskatchewan, two members; Alberta, two members; British Columbia and the Yukon, two members.

Four divisions for Advisory Boards.

Section 4. *Divisional Advisory Boards.*—For the purpose of appointing Advisory Boards the Dominion shall be divided into four territorial divisions, namely, the Maritimes, Ontario and Quebec, the Prairie and that part of Ontario west of and including Port Arthur, and British Columbia. The Advisory Board in each division shall consist of the Directors in that division, whose duty it shall be to elect a chairman with whom the General Manager may communicate on matters affecting that division.

Board must meet before and after annual meeting.

Section 5. *Meetings of the Board*—Meetings of the Board of Directors shall be held at such place and at such time as the Directors may appoint, but a meeting of the Board shall be held on the day previous to the annual meeting and a meeting immediately after the annual meeting.

Five may call special meeting.

Section 6. *Special Meetings of the Board*—Special meetings of the Board shall be held upon the call of the President or any five Directors.

Notice to all Directors requisite.

Section 7. *Notice of Directors' Meetings*—Notice of all Directors' meetings, regular or special, shall be delivered or mailed and wired to each Director, not less than 10 days before the meeting is to take place, and in default of such notice the meetings as above fixed shall not take place except that meetings of the Directors shall be deemed regular when all of them are present without regard to notice thereof or when those who are absent waive in writing (including telegrams) notice of such meeting.

Unless all are present or assent.

Chairman.

[fol. 2307] Section 8. *Who Shall Preside*—At all meetings of the Board of Directors, the President, or one of the Vice-Presidents or the Honorary President, or, in the absence of all these, one of the Directors, to be chosen by the meeting, shall preside.

Board may fill vacancy.

Section 9. *Filling of Vacancies*—In case of the death of a Director, or in the case of his becoming mentally or physically unable to act, or resigning, or ceasing to be a member, or ceasing to represent the newspaper for which he holds a certificate of membership, the vacancy thereby created may be filled for the unexpired portion of his term by the Board from among the qualified members in the territorial division affected, or the Board may in its discretion call a meeting of members for the election of a Director for the unexpired portion of the term of the Director so vacating office. The continuing Directors may act notwithstanding a vacancy on the Board.

Or call special meeting to elect Director.

Board's power to make contracts.

Section 10. *Execution of Contracts, etc.*—The Board of Directors shall, in addition to the powers elsewhere granted by these By-laws or otherwise conferred by law, have power to buy and sell news and to make and enter into contracts on behalf of the Corporation and exercise all such powers of the Corporation and do all such lawful acts and things as are not by statute or by these By-laws directed or required to be done by the Corporation in general meeting.

Other powers not reserved for general meeting.

May appoint special committees.

Section 11. *Powers of Directors*—The Board of Directors from time to time may, by resolution, appoint committees for special purposes, designating their duties and powers. Without prejudice to the general powers conferred by the By-laws and the other powers conferred by the Corporation's charter, it is hereby expressly declared that the Board of Directors shall have the following powers, that is to say: To purchase or otherwise acquire for the Corporation or to sell, trade [fol. 2308] or exchange any property, service, privilege, license, right or concession which the Corporation is authorized to acquire at such price or consideration and generally on such terms and conditions as they think fit.

And acquire property, etc., on terms they think fit.

May levy special assessments.

Section 12. *Directors May Impose or Increase Assessments*—The Board of Directors may levy special assessments when and if the balance of the Contingency Fund is deemed by them insufficient to meet contingencies. The incidence of such additional assessment shall not vary from the population and other bases laid down in the plan set out in Article XXI of these By-laws.

But not varying from plan in Article XXI

Secretary to keep minutes.

Section 13. *Minutes of Board Meetings*—The Secretary shall make a report of the proceedings of each meeting of the Board, which shall be certified by the Chairman of such meeting, and shall mail copies to all members.

Directors entitled to special expenses.

Section 14. *Expenses of Directors*—Expenses of Directors attending special or extraordinary meetings of the Board, or meetings of special com-

mittees or deputations appointed by the Board, shall be paid out of the general funds of the Corporation.

May supplement By-laws by resolution.

Section 15. *Power of Board to Supplement By-laws*—The Board of Directors from time to time by resolution may provide for all matters in respect to which no provision is made by these By-laws, and the Board may from time to time, repeal, amend, or re-enact such resolutions, but every such resolution, and every repeal, amendment or re-enactment thereof unless in the meantime sanctioned at a special general meeting, duly called for that purpose, shall only have force until the next annual meeting, and in default of confirmation thereat, shall, at and from that time, cease to have force.

Committee of three officers.

[fol. 2309] Section 16. *Finance Committee*—The President, the First Vice-President and the Second Vice-President, two of whom shall form a quorum for the transaction of business, shall be the Finance Committee of the Board of Directors. The Finance Committee shall strike the estimates for the ensuing financial year and shall consider and pass upon the report of the Treasurer prior to meetings of the Board. The Finance Committee shall also have power to authorize interim extraordinary expenditures at any time.

Powers of Committee.

ARTICLE IX

Officers

Distinction for past Presidents or Vice-Presidents.

Section 1. *Honorary President*—The office of Honorary President may be conferred by the Board of Directors as a mark of worth for meritorious service to the Corporation on a Director who has held the office of President, First Vice-President or Second Vice-President.

President to have general supervision.

Section 2. *Duties of the President*—It shall be the duty of the President to preside at all meetings of the Board of Directors, to have general supervision and control over the management of the business of the Corporation; to see that all

orders and resolutions of the Board are carried into effiect; to execute all contracts and agreements authorized by the Board. He shall have the general supervision of the affairs of the Corporation and direction of all its agents and employes and shall see that their duties are properly performed. He shall submit a report of the operations and conditions of the Corporation for the year to the Directors and to the members at their annual meeting each year, and from time to time shall report to the Directors all matters within his knowledge which the interests of the Corporation may require to be brought to their notice. He shall be ex-officio a member of all committees, and [fol. 2310] shall freely counsel and advise with the Directors and other officers in relation to the business and interests of the Corporation.

And report to Directors and members.

Member of all committees.

Section 3. *Vice-Presidents*—It shall be the duty of the First Vice-President, in case of the absence of the President or of his inability to act, to exercise all his powers and discharge all his duties; in case of the absence or disability of both the President and First Vice-President, it shall be the duty of the Second Vice-President to exercise all the powers, and discharge all the duties of the President; and in case of the absence or disability of the President, the First Vice-President and the Second Vice-President, a President pro tempore shall be chosen by the Board of Directors.

Place of absent President taken by a Vice-President.

Or by a President pro tempore.

Section 4. *The General Manager*—The General Manager shall be appointed by the Board of Directors and shall act as Secretary of the Corporation. He shall be the Chief Executive of the Corporation and shall have the appointment of all employes of the Corporation, except the Treasurer, and shall be generally charged with carrying out the policy laid down by the Board of Directors. He shall attend all meetings of the Board of Directors and of the members and shall keep a true record of the proceedings thereof. He shall cause to be kept in the office of the Corporation the corporate seal and all contracts and other instruments in writing and shall execute all certificates of membership, contracts and other instruments au-

General Manager appointed by Board.

Secretary and Chief Executive.

To execute membership certificates and other instruments.

thorized to be made or executed by or on behalf of the Corporation, provided that all instruments requiring the corporate seal shall also be executed by the President or one of the Vice-Presidents.

To be bonded as required.

He shall give such a bond and in such amount as may be required by the Board of Directors. The General Manager or the President shall have

May appoint deputy to act in his stead.

power to designate a member of the staff, who shall be similarly bonded, to act in his stead in the event of his absence or illness preventing him [fol. 2311] from discharging his ordinary duties, and such member of the staff shall be empowered to discharge all the functions of General Manager until such time as the General Manager is able to resume his duties, or until such time as the Board of Directors may take action to appoint a successor.

Treasurer to deal with moneys as authorised.

Section 5. *The Treasurer*—The Treasurer shall be appointed by the Board of Directors. He shall receive all moneys of the Corporation, safely keep the same, and pay out such sums as may be duly authorized by the Board of Directors. He shall give such a bond and in such amount as the Board may require.

ARTICLE X

Seal

Seal of Corporation.

The seal, an impression whereof is made on these By-laws, shall be the corporate seal of the Corporation.

ARTICLE XI

Auditors

Report twice yearly on monthly audit.

There shall be a monthly audit of the accounts and books of the Corporation by a firm of chartered accountants appointed by the members at the annual or special general meeting, and who shall twice yearly report to the President.

ARTICLE XII

Membership Roll

Memberships recorded.

The General Manager shall keep a membership book in which shall be recorded the names and addresses of all members, the names of the newspapers represented by them and particulars of all transfers and transmissions of membership.

[fol. 2312]

ARTICLE XIII

Bank Account

Directors select banks or trust companies.

A bank account or accounts shall be kept at a chartered bank or banks, and trust company or trust companies, to be selected by the Board of Directors, and cheques, notes, drafts and bills of exchange drawn upon or made by the Corporation shall be signed by such members of the Board or officials of the Corporation as the Board may from time to time specify, and who, on behalf of the Corporation, may also endorse notes, cheques or drafts for collection or discount.

Bills and notes signed on behalf of Corporation.

ARTICLE XIV

Contracts

Contracting officers.

All contracts, deeds and agreements made by the Corporation and required to be in writing shall be executed on behalf of the Corporation by the President, or one of the Vice-Presidents, and by the General Manager.

ARTICLE XV

Solicitor

Board to appoint Solicitor.

The Board of Directors shall appoint a Solicitor for the Corporation, who shall transact its general legal business and attend to such matters as shall be referred to him. The General Manager may also from time to time engage the services of such other counsel or solicitors as may be required.

ARTICLE XVI

Special Services

Board to regulate broadcasting of news.

Section 1. *Radio Regulations*—The Board of Directors from time to time shall enact regulations governing the use of the Corporation's news in radio broadcasting by members or by commer- [fol. 2313] cial radio stations or by agreement with the Canadian Broadcasting Corporation or like governing body.

Limited service may be supplied to commercial companies.

Section 2. *Commercial Companies*—Subject to the approval of the Board of Directors and notwithstanding anything contained elsewhere in these By-laws, the General Manager shall have authority to supply a limited news service to commercial companies or other agencies, where such service does not conflict with the rights and interests of any member; and in the reporting of extraordinary news events, such as general elections, he shall have authority to make co-operative arrangements with telegraph companies or other agencies or organizations, for the benefit of the Corporation.

Co-operative arrangements on extraordinary occasion.

ARTICLE XVII

Rights of Members

News service only for newspaper specified in certificate.

Section 1. *Members Entitled to News Service*—Each member shall be entitled upon compliance with the provisions of the By-laws of the Corporation at any time made, and with the conditions and contracts attached to news service, to receive service of news for the purpose of publication in the newspaper specified by his certificate of membership, and for that purpose only.

Service according to ability to pay.

Section 2. *Character of News Service*—The news services to be supplied shall fall within two classes: Leased Wire and Pony. Every member shall be entitled to a service of the character and volume he desires, compatible with his ability to pay for the same, and with the co-operative prin-

ciples of news collection and news distribution, as defined by the Board of Directors. In no case shall a Pony service be supplied to a newspaper published in a city in which another newspaper having the same hours of publication has a leased wire service.

Regular service to members only.

[fol. 2314] Section 3. *News Service to Members Only*—Subject to the exceptions contained in Article XVI, the news service of the Corporation shall be furnished only to members and to the newspapers represented by them and specified in the certificate of membership.

Restricted use of news.

Section 4. *Use of News*—A member shall publish news supplied by The Canadian Press only in the newspaper for which he holds a certificate of membership and under the conditions set forth therein, and he shall not permit any other use to be made of the news furnished to him or to the newspaper which he represents except as otherwise provided for in these By-laws or by resolution of the Board of Directors. The publication of Canadian Press news in a paper owned, controlled or directed by a member of The Canadian Press, but not being the paper named in the certificate of membership, is a violation of this Section of the By-laws, which the Board of Directors must enforce.

Content sheets permitted.

A member is permitted to display content sheets at any time and in any place, provided they give no more than a bare outline of important news.

Also news bulletins at offices.

A member is permitted to display a news summary in the windows or on the bulletin boards or by any other device at his office of publication and at his recognized branch offices except within the corporate limits of another city or town at which a membership in the Corporation is held. A member is also permitted to display such news summary on the sky over his city or town of publication, provided it is within his hours of publication and is not connected with commercial advertising.

Or on sky overhead.

Announcements on extraordinary occasions.

Results of Provincial or Federal elections in Canada, collected by The Canadian Press, or any

other extraordinary news events within the discretion of the General Manager, may be displayed or announced by a member in one public building [fol. 231½] or theatre, but in only one such place, and no charge shall be made by the member for such service. In addition, or as an alternative, a member may display such election or other extraordinary news by means of a lantern on a screen attached to or convenient to his office of publication and recognized branch offices except within the corporate limits of another city or town at which a membership in the Corporation is held.

To print in one place.

Section 5. *Place of Publication*—A member shall print the whole of the newspaper for which he holds a certificate of membership at the city or town specified in such certificate as his place of publication, provided, however, he may cause features such as magazine and comic sections to be printed outside his city or town of publication. No issue or part of an issue of such newspaper may be regularly labelled as the edition of a city or town in which there is another membership.

Standard time except by agreement otherwise.

Section 6. *Hours of Publication*—The time limit for the receipt and publication of news by members shall be standard time, or daylight saving time when the latter is in effect, except that the time of publication may be changed by mutual agreement of all members affected, and hours of publication shall be as follows: Morning papers to receive not later than 6 a. m. and to publish between 9.30 p. m. and 9.30 a. m.; evening papers to receive not later than 6.30 p. m. and to publish between 9.30 a. m. and 9.30 p. m.; except that on Saturdays and Dominion statutory holidays evening papers be permitted to publish at 9 a. m. and morning papers at 9 p. m.; but this shall not be interpreted to prohibit the publication of either morning or evening papers at any hour, when published occasionally, on receipt from The Canadian Press of extraordinary (E. O. S.) news. Local news may occasionally, in the discretion of the member, be made the basis of an extra edition. Extra editions, whether founded on Canadian

Hours for receiving and publishing.

Except on Saturdays and holidays.

[fol. 2316] Press 'E. O. S.' or local news, may contain any Canadian Press news received up to the time of their publication.

The use of Canadian Press news by newspapers represented in the Corporation shall be within their respective time limits as above defined. Publication within the meaning of this Section shall be deemed to permit the printing of the sheets at any hour, but such sheets shall not be permitted to leave any part of the building in which the paper is printed prior to the time limit as above defined.

Publication defined.

But on the unanimous recommendation to the President of the members affected, the President and the two Vice-Presidents may suspend or modify the regulation contained in this section in any city in which a newspaper not a member of the Corporation is published.

But may be modified by consent.

Section 7. *"E. O. S." News Bulletins*—Bulletins covering extraordinary news developments, whether domestic, British or foreign, shall in the discretion of the management or its editors be marked "E. O. S." (Extraordinary Service); such "E. O. S." bulletins shall be immediately available for all members, Pony as well as Leased Wire, day and night, irrespective of whether they develop in morning or evening paper hours; and such "E. O. S." bulletins may be made the foundation of extra editions in accordance with the provisions for the same laid down in Section 6 of this Article. Such extra editions shall be labelled *extra*.

E. O. S. bulletins may be published at any time.

Section 8. *Members Entitled to Full Report*—Every Leased Wire member is entitled to the complete leased wire report laid down in his city or town of publication; and for this purpose evening papers shall receive a full copy of the night report not later than 6 a. m., and morning papers shall receive a full copy of the day report not later than 6 p. m. This exchange shall be free as between morning and evening papers except where there is an unequal number of papers in the morning

Leased wire members entitled to full report for day and night.

Fee may be levied for supplying copies.

[fol. 2317] and evening fields, in which case the Board of Directors may in its discretion impose a fee upon the members of the larger group to compensate the members in the smaller group for the cost of supplying copies of the service they receive to the members of the larger group.

Member to pay extra cost where no member in other field.

In any city or town where only evening papers are published such evening paper members may receive the full morning paper service simultaneously with morning paper members elsewhere on payment of their full share of morning paper Inter-Divisional and Circuit Costs; likewise in any city or town where only morning papers are published such morning paper members may receive the full evening paper service simultaneously with evening paper members elsewhere on payment of their full share of evening paper Inter-Divisional and Circuit Costs.

How member may withdraw.

Section 9. *Withdrawal of Members*—By the vote of a majority of the Board of Directors a member may be permitted to withdraw from membership upon payment of all dues, assessments and other obligations, and upon the surrender and cancellation of such member's certificate of membership and upon such other terms as the Board of Directors may fix. If any member shall apply to the Board of Directors for permission to withdraw, and the same shall be refused, such member may nevertheless give written notice to the Secretary of intention to withdraw and one year after such notice shall have been received, and upon payment of all assessments and other obligations to the date of final withdrawal, such membership shall terminate, but until that time, unless the membership is sooner terminated by vote of a majority of the Board of Directors as specified herein, the member shall continue to receive and publish in the newspaper represented by him the news service of the Corporation and pay assessments in the manner specified in these By-laws and in all respects comply with these By-[fol. 2318] laws, and failure so to do shall thereupon cause the membership to terminate and the

assessments for fifty-two (52) weeks to become due and payable in one aggregate sum.

ARTICLE XVIII

Duties and Obligations of Members

Must comply with by-laws and amendments.

Section 1. *Members Must Comply with By-laws*—Each member shall comply with all the provisions of these By-laws and amendments thereto and with such resolutions as the Board of Directors shall from time to time enact.

Must meet obligations as fixed by board.

Section 2. *Must Pay All Dues and Assessments*—During the term of his membership, or until his right to the receipt of the news reports shall be terminated in the manner hereinafter provided for, each member shall pay all dues, assessments and other obligations as the same may be fixed and apportioned by the Board of Directors.

And guard news report from non-members.

Section 3. *Must Guard News Report*—No member shall furnish news nor permit any one in his employ to furnish news of The Canadian Press nor his own local news to which the Corporation has exclusive rights, to any person in Canada who is not a member of the Corporation nor to any United States news agency or newspaper other than The Associated Press and its members, nor to any British or foreign news agency or newspaper other than those with which The Canadian Press has or may have contractual arrangements and their members.

Must not publish any other paper.

Section 4. *Other Publication*—Any member shall be deemed to have violated these By-laws if he represents a newspaper published by a person or corporation which also publishes in the same city or town a daily newspaper not represented by membership in The Canadian Press.

Must publish Corporation's news correctly.

[fol. 2319] Section 5. *Improper Use of the Report*—The publication in incorrect or perverted form of Canadian Press matter, or of any matter improperly designated as Canadian Press matter, shall be deemed harmful to the Corporation, and

the member so offending shall be disciplined by the Board of Directors as provided for in Articles XIX and XX of these By-laws.

And must not publish before release.

Section 6. *Must Observe Terms of Release*—No member shall anticipate the publication of any document of public concern confided to The Canadian Press for use on a stipulated date. The receipt by a member from The Canadian Press in English text of such document shall obligate him to observe the same release even should he secure the French text independently; similarly receipt by a member from The Canadian Press of the French text shall obligate him to observe the same release even should he secure the English text independently. Nor shall any member anticipate the publication of any matter whatsoever furnished him by The Canadian Press, its officers and agents, which is subject to a specified date of release; and acceptance by a member of such matter shall constitute an agreement by him to abide by the release date, irrespective of any other source of supply. But the return of Canadian Press copy to the General Manager prior to the time of release or a wire or telephone message to the General Manager prior to the time of release, shall relieve the member of any further obligation therein. The Board shall deal with all breaches of release brought to its attention by the General Manager under the terms of Articles XIX and XX hereof. The accidental or unintentional violation of this Section shall not be regarded by the Board as adequate defence for breach of release.

Either in English or in French.

Unless returned prior to release.

Publication within the meaning of this Section shall be deemed to permit the printing of the advance matter at any hour, but such advance mat-
[fol. 2320] ter shall not be permitted to leave any part of the building in which the paper is printed prior to the time of its release.

Member to assist correspondents.

Section 7. *Must Furnish News of District*—In places where The Canadian Press shall maintain a correspondent, members shall afford to such correspondent convenient access at all times to the routine news in their possession, and in a

place where the Corporation has no correspondent each member shall furnish the news of his district, the area of which shall be determined by the General Manager, subject to an appeal to the Divisional Advisory Board of the member's territorial division, and in such manner as may be directed, it being understood that the news to be furnished shall be news of a routine character. It is further understood that routine news being difficult to define in language that will not leave loopholes for evasion of a member's duty to his fellow-members, this section is to be broadly interpreted and in honorable understanding of the spirit of The Canadian Press. Routine news in the possession of a member must not be furnished to any newspaper or any news agency until it has been furnished to the Corporation, its accredited agents or correspondents. In no case shall a member be required to furnish news from points more than 300 miles from his office of publication.

Or furnish routine news of district.

Obligation to be broadly interpreted.

C. P. has prior right to news.

At important news centres where there is only morning paper membership or memberships, or only evening paper membership or memberships, such member or members shall on the request of the General Manager render the Corporation every possible assistance in covering the local or district news developing for the full 24-hour period.

To assist day and night if necessary.

Section 8. *Penalty for Failure to Supply District News*—Failure on the part of a member to supply such news as he is obligated to furnish may be reported by the General Manager to the Board [fol. 2321] of Directors, and the Board shall thereupon deal with the offence under Article XIX hereof, or may empower the General Manager to charge to the offending member any expense which the Corporation may incur in consequence of such failure.

Board may deal with failure to supply news.

Resulting expense may be charged to member.

Section 9. *Contractual Relations with British or Foreign Press Associations*—Members shall also give the agent or representative of any British or foreign press association with which the Corporation has contractual relations access to

Member must also assist agents of allied associations.

news of a routine character gathered by them in the Dominion of Canada with the right to transmit and deliver such news to such British or foreign association for use within the territory covered by such association in accordance with any contract now existing or hereafter to be made between The Canadian Press and any British or foreign association.

And guard report, for ally's territory.

Section 10. *Protection for British or Foreign Association*—The news reports delivered to this Corporation or its members under any contract with any British or foreign news-gathering association shall not be transmitted by this Corporation, its agents or members, for use within the territory covered by such allied association.

Board may require credits.

Section 11. *Members Must Give Credit as Directed*—Members shall print in their newspapers such credit to The Canadian Press or to any paper or other source from which news may be obtained, as shall be required from time to time by the Board of Directors, or by the General Manager.

To show time field.

Section 12. *Identification*—In a city where a morning and an evening paper are published from the same office it shall be indicated either in the title or elsewhere in every edition whether the newspaper is printed in the morning or evening.

[fol. 2322]

ARTICLE XIX

Misconduct Disciplined by Board

For violation of By-laws.

Section 1. *Penalties for Violation of By-laws*—When the Board of Directors shall decide that a member has violated any of the provisions of these By-laws or that there has been conduct on his part, or on the part of any one in his employ or in the employ of or connected with the newspaper designated in his certificate of membership, which in its absolute discretion, the Board shall deem harmful to the Corporation and its members, it may, by a two-thirds vote of the Directors present and voting, impose upon such a member a fine not exceeding $1,000.00, or suspend his privileges of membership, or present him for

Or conduct harmful to the Corporation.

May be fined by Directors.

Or suspended.

expulsion, as hereinafter provided, or it may both suspend his privileges and present him for expulsion. Before any such action shall be taken, the member affected shall be given 15 days' notice in writing of the time and place of the Directors' meeting at which the matter will be dealt with and shall be entitled to be heard in his defence. Such notice shall be given by the General Manager by mail or telegraph upon instruction to that effect by the President, a Vice-President, or five Directors.

Or presented for expulsion.

But may defend himself.

Section 2. *If Fine Unpaid*—In default of the payment within 30 days of any fine imposed under the preceding section, the Board of Directors may suspend the privileges of membership, or present for expulsion any member who shall refuse or neglect to pay such fine.

For failure to pay fine.

Board may suspend or present for expulsion.

Section 3. *Notice to All Members*—When the privileges of a member are suspended, his news service shall be discontinued and notice of the suspension shall be sent at once by the General Manager to all the members. Any order of suspension may be repealed by the affirmative vote of a majority of the Board of Directors present and voting, and notice thereof shall be sent at once by the General Manager to all the members.

Notice of a suspension must be sent to all members.

As also notice of repeal.

[fol. 2323] Section 4. *Term of Suspension*—The term for which a member may be suspended by the Board of Directors shall not extend beyond the next annual meeting of the members, or any special general meeting called for the purpose of dealing with such suspension.

Suspension not to extend beyond next general meeting.

Section 5. *Suspended Member May Resume or Withdraw*—Any member so suspended may at his option retain his membership, and at the expiration of the period for which he shall have been suspended, or upon the repeal of the suspension, he shall again become entitled to receive the news service called for in his certificate of membership, or such member may withdraw from membership upon paying all dues, assessments, and other obligations then due or incurred and unpaid, where-

May resume after period of suspension.

Or withdraw after meeting all obligations.

upon his certificate of membership shall be cancelled without any remuneration therefor.

ARTICLE XX

Misconduct Disciplined by General Meeting

General meeting may suspend or expel any member.

Section 1. *Right of Expulsion*—The Members of the Corporation at any regular meeting, or at a special meeting called for that purpose, shall have the right by a majority vote of those present and those represented by proxy, to suspend or expel a member for any violation of these By-laws, or for any conduct on his part, or on the part of anyone in his employ, or in the employ of or connected with the newspaper designated in his certificate of membership, which in their absolute discretion shall be deemed harmful to the interests and welfare of the Corporation and its members.

For violating By-laws or harming Corporation.

Formal presentation before motion to expel.

Section 2. *Right of Defence*—Before the members may entertain a motion to expel a member there shall be a formal presentation of such member either by order of the Board of Directors after a hearing, as hereinbefore provided, or through a [fol. 2324] written notification signed by five members. The member affected shall have the right to be heard in his own behalf before the motion to expel is put to vote.

Member's right to be heard.

Notice three weeks in advance if case not heard by Board.

Section 3. *Due Notice to Members*—If a member is to be presented for expulsion without previous hearing by the Board of Directors, the notice of presentation shall be filed with the General Manager at least three weeks prior to the meeting of the members at which action is to be taken, and the General Manager shall forward a certified copy to the member affected within three days after receiving such notice. When the Board of Directors decide to present a member for expulsion at any regular meeting, such intention shall be notified to all members in the notice calling such meeting.

If presented by Board notice must be given.

Certificate cancelled at expulsion.

Section 4. *Expulsion Followed by Cancellation of Membership*—When a member shall be presented he may be expelled by the affirmative vote

of a majority of all the votes recorded, and thereupon the certificate of membership, without any remuneration therefor, shall be cancelled.

Board decides terms of readmissions.

Section 5. *Expelled Member Loses All Standing*—A member who has been expelled may be readmitted only upon the terms and conditions determined by the Board of Directors.

ARTICLE XXI

I. Apportionment of Costs

The entire expense of collection and distribution of news shall be divided into two classes: (A) National Cost; (B) Circuit Cost; on the following basis:—

(A)—National Cost shall comprise expense essential to national service from which all members of all divisions share the benefits.

[fol. 2325] (B)—Circuit Cost shall comprise all expense other than that chargeable to National Cost.

II. Assessment of Costs

A—National Cost shall be assessed as follows:—

(1) For Leased Wire Members a fixed charge per week on the basis of $20.00 per week for cities of a population of under 15,000; $30.00 per week for cities of a population between 15,000 and 30,000; and $40.00 per week for cities of a population of 30,000 and over. But the Board of Directors may revise from time to time this fixed charge so that each Division shall contribute to National Cost through its fixed charge and National Cost Assessment a total sum in excess of all National Cost expenditures for its sole benefit.

(2) For Leased Wire and Pony members, a National Cost assessment to be computed on the basis of the ratio of the population of the individual Canadian cities or towns served by daily paper members to the collective population of them all, according to the figures of the current general official census of Canada to be revised

each decade effective for the first new financial year after the Dominion census returns involved are officially completed and announced; this National Assessment shall absorb the balance of National Cost not covered by the Fixed Charge against Leased Wire members, but in a field, morning or evening, where a French language member is exposed to the competition of an English language member in the same newspaper field as to hours of publication, such French language member may in his discretion make application to the Board of Directors for an annual grant up to one-third of his National Cost towards his cost of translation, and the Board may grant the same or any portion thereof in its discretion; the Board of Directors, on application and in its discretion, may reduce National Cost to a member whose publication conditions are abnormal; and the [fol. 2326] Board of Directors, on application and in its discretion, may make from National Cost an annual grant to an English language member whose circulation field is unduly limited by reason of extreme disparity of population as between English and French.

B—In the computing of Circuit Cost assessed against a City where two or more papers are published, the assessments shall be divided equally between the evening papers served therein by leased wire, or between the morning papers, as the case may be. But National Cost shall be divided equally among all papers of a city, morning and evening.

C—Circuit Cost shall be assessed as follows:—

(1) Cost of wire mileage of a member's circuit on the basis of the ratio of the population of his city (or his share thereof if there are two or more papers in his field) to the total population of the cities served by such circuit, provided that where any additional mileage is imposed on his circuit for the sole purpose of serving him, he shall be assessed the cost of such mileage if it be greater.

(2) Cost of drop or terminals in the member's city, or where there are two or more papers in his field, his equal share of such costs.

(3) Proportion on a similar population basis of sending cost including operator and mechanical wages, or the member's share thereof if there are two or more papers in his field; any overtime thus incurred being divided equally among Circuit members who benefit.

D—Assessment of Circuit Cost may be subject to revision by respective Sections so long as the total sum is not affected, and this to include the distribution of the additional revenues from the Pony members of the section as provided below.

[fol. 2327] E—For Pony paper members there shall be a fixed charge on the basis of $10.00 per week for cities of a population under 15,000 and $20.00 per week for cities of a population of 15,000 and over. Such fees shall go to Leased Wire papers within the same Section on a population basis similar to their assessment for National Cost. The General Manager may, with the approval of the President, or one of the Vice-Presidents, according to the territorial jurisdiction, remit in part or in whole the fixed charge of any Pony paper, but not for more than one financial year, at the end of which the case shall be reconsidered.

F—Where competitive conditions appear to demand an adjustment of cost, either in respect of an existing membership or a new membership, the General Manager may, with the approval of the Finance Committee, remit in part or in whole the fixed charge of such member, but not for more than one year, at the end of which the case shall be considered by the Board of Directors.

ARITCLE XXII

Collection of Assessments

Assessments collected by sight drafts.

Section 1. *By Sight Draft*—The General Manager shall collect all assessments and costs against all members by sight drafts. Collections from all

May be required one month in advance.

Leased Wire members shall be weekly in advance, and collections from Pony members shall be twice a month. In the discretion of the General Manager, subject to the approval of the President, a member whose account is regarded by the management as doubtful, may be required to pay his assessments one month in advance instead of by weekly or twice-a-month draft.

No power for General Manager to extend credits.

Section 2. *Service Discontinued if Draft Unpaid*—The General Manager shall not be permitted discretionary powers in the extension of credits, but shall regard all accounts as overdue [fol. 2328] when the weekly or twice-a-month sight drafts, as it may be, shall not have been paid within three days of presentation; whereupon he shall discontinue the news service without further notice, until all arrears are paid, including the full cost of the service during the period of suspension. If such period of suspension for non-payment extends to 30 days the membership of said member shall automatically lapse upon the 30th day, and the certificate of membership of such member shall be cancelled.

Certificate cancelled on 30th day of suspension.

ARTICLE XXIII

Disclaimer of Liability

Not liable for member's loss or damage.

Neither The Canadian Press nor the Officers nor Directors nor any of them shall in any event be liable to a member for any loss or damage arising by reason of the publication of any of the news received by him from the Corporation, or by reason of his suspension or expulsion.

ARTICLE XXIV

Amendments to By-Laws

General meeting may amend By-laws.

These By-laws may be amended at any annual meeting or special general meeting of members of the Corporation by an affirmative vote of two-thirds of the members present in person or by proxy, at such annual or special general meeting, provided that notice of the proposed amendment

shall have been given by the General Manager by mail to all the members at least one month before the date of such meeting.

ARTICLE XXV

Repeal of Previous By-Laws

All By-laws previously enacted are hereby repealed.

[fol. 2329] AFFIDAVIT OF EINAR B. PAUST

STATE OF NEW YORK,
County of New York, ss:

EINAR B. PAUST, being duly sworn, says:

I am an attorney-at-law, associated with Messrs. Milbank, Tweed & Hope, attorneys for defendant, The Associated Press. I have been admitted to practice before this Court and the Circuit Court of Appeals for the Second Circuit.

Attached hereto and marked Exhibit A is a list of the newspapers and news agencies, other than the United Press Associations, International News Service and The Associated Press, represented in the press galleries of the House of Representatives and the Senate of the United States on May 26, 1942, as contained on pages 720-729 inclusive, of the June 1942 Congressional Directory, Second Edition.

Attached hereto and marked Exhibit B is a photostatic copy of a reprint of page 57 of the April 24, 1943 issue of Editor & Publisher.

(S.) Einar B. Paust.

Sworn to before me this 21 day of June, 1943. (S.) Michael F. Moran, Notary Public. (Seal).

[fol. 2330] EXHIBIT A

Newspapers and News Agencies Other than the United Press Associations, International News Service and the Associated Press Represented in the Press Galleries of the House of Representatives and the Senate of the United States on May 26, 1942 (Compiled from the June 1942 Congressional Directory, Second Edition.)

Name of Newspaper or Agency	*Number of Representatives Accredited*
Akron (Ohio) Beacon Journal	2
Albuquerque (N. Mex.) Tribune	1
Alexandria Gazette	1
Altoona Mirror	1
Alton (Ill.) Telegraph	1
Amarillo News	1
Anderson (S. C.) Independent	1
Anderson (S. C.) Mail	1
Ann Arbor (Mich.) News	2
Appleton (Wis.) Post-Crescent	1
Arizona Daily Star	1
Arkansas Democrat	2
Asbury Park (N. J.) Press	1
Ashtabula Star Beacon	1
Atlanta (Ga.) Constitution	1
Atlanta (Ga.) Journal	1
Austin Daily Tribune	1
Australian Newspaper Service	1
Baltimore (Md.) Evening Sun	8
Baltimore (Md.) News-Post	1
Baltimore (Md.) Sun	5
Battle Creek (Mich.) Inquirer-News	2
Bay City (Mich.) Times	2
Bell Syndicate	3
Binghamton (N. Y.) Press	1
Birmingham (Ala.) Age-Herald	1
Birmingham (Ala.) News	2
Boston (Mass.) Globe	1
Boston (Mass.) Post	1
[fol. 2331]	
Bridgeport (Conn.) Post Telegram	1
British United Press, Ltd.	1

Name of Newspaper or Agency	*Number of Representatives Accredited*
Brockton (Mass.) Enterprise	1
Buffalo (N. Y.) Courier Express	1
Buffalo (N. Y.) Evening News	3
Camden (N. J.) Courier and Post	1
Canadian Press	1
Cedar Rapids Gazette	1
Central News Agency of China	1
Central Press Association	1
Charleston (S. C.) News and Courier	1
Charlotte (N. C.) Observer	2
Chattanooga Free Press	1
Chicago (Ill.) Daily News	2
Chicago Herald and American	2
Chicago Journal of Commerce	2
Chicago Sun	16
Chicago Times	1
Chicago (Ill.) Tribune Press Service	7
Chinese Nationalist Daily	1
Christian Science Monitor, Boston	4
Cincinnati (Ohio) Enquirer	1
Cincinnati (Ohio) Post	2
Cincinnati (Ohio) Times-Star	2
Cleveland News	2
Cleveland (Ohio) Plain Dealer	2
Cleveland (Ohio) Press	2
Columbus (Ohio) Citizen	2
Commercial Appeal (Memphis)	1
Daily Herald (London)	1
Daily Metal Trade	1
Daily News Record (New York)	3
Daily Oklahoman	1
Dallas (Tex.) News	1
Dallas (Tex.) Times-Herald	1
Davenport (Iowa) Democrat	2
Davenport Times	1
[fol. 2332]	
Dayton Daily News	1
Daytona Beach News-Journal	1
Denver Post	1
Des Moines (Iowa) Register and Tribune	3

Name of Newspaper or Agency	*Number of Representatives Accredited*
Detroit (Mich.) Free Press	3
Detroit (Mich.) News	2
Durham (N. C.) Herald-Sun	1
East Oregonian (Oreg.)	1
Editorial Research Reports	2
Elmira (N. Y.) Star-Gazette	1
El Paso (Tex.) Herald-Post	1
Evansville (Ind.) Courier	2
Evansville (Ind.) Press	1
Exchange Telegraph Co. (Ltd.), London, England	1
Fairmont (W. Va.) Times	1
Fall River (Mass.) Herald-News	1
Federated Press	1
Flint (Mich.) Journal	2
Fort Wayne (Ind.) Journal Gazette	1
Fort Wayne (Ind.) News Sentinel	1
Fort Worth (Tex.) Star Telegram	3
Fort Worth (Tex.) Press	1
Fresno (Calif.) Bee	1
Gallipolis (Ohio) Daily Tribune	1
Grand Rapids (Mich.) Press	2
Greensboro (N. C.) Daily News	1
Green Bay (Wis.) Press-Gazette	1
Harrisburg (Pa.) News	1
Harrisburg (Pa.) Patriot	1
Harrisburg (Pa.) Telegraph	2
Hartford (Conn.) Courant	1
Hartford (Conn.) Times	2
Haverhill (Mass.) Gazette	1
Hickory (N. C.) Record	1
Hollywood Reporter	1
Holyoke (Mass.) Transcript-Telegram	1
[fol. 2333]	
Honolulu Star-Bulletin	1
Houston (Tex.) Chronicle	4
Houston Post	1
Houston (Tex.) Press	1
Indianapolis (Ind.) News	1
Indianapolis (Ind.) Star	1

Name of Newspaper or Agency	*Number of Representatives Accredited*
Indianapolis (Ind.) Times	1
Jackson City (Mich.) Patriot	2
Jackson (Miss.) Daily News	1
Jacksonville (Fla.) Journal	1
Jersey Observer	1
Kalamazoo (Mich.) Gazette	2
Kansas City Kansan	1
Kansas City Star (e.) Times (m.)	2
Kennebec (Maine) Journal	1
Kentucky Post	2
King Features Syndicate	3
Knoxville (Tenn.) Journal	1
Knoxville (Tenn.) News-Sentinel	1
La Correspondencia de Puerto Rico	1
La Crosse (Wis.) Tribune	1
La Nacion (Buenos Aires)	1
Lansing (Mich.) State Journal	2
Lewiston Tribune (Idaho)	1
London Daily Telegraph and Morning Post	1
London Times	2
Long Island Star-Journal	2
Los Angeles Examiner	2
Los Angeles (Calif.) Times	3
Louisville (Ky.) Courier-Journal	1
Louisville (Ky.) Times	1
Lynn (Mass.) Item	1
McClure Newspaper Syndicate	2
McKeesport (Pa.) Daily News	1
Macon (Ga.) Evening News	1
Macon Telegraph	1
Madison (Wis.) Capital Times	1
[fol. 2334] Madison (Wis.) State Journal	1
Manchester (N. H.) Union Leader	1
Memphis Press-Scimitar	1
Miami (Fla.) Daily News	1
Miami (Fla.) Herald	2
Michigan League of Home Dailies	2
Minneapolis Star-Journal and Tribune	1
Minneapolis Tribune	1
Mitchell (S. Dak.) Republic	1

Name of Newspaper or Agency	*Number of Representatives Accredited*
Mobile (Ala.) Press-Register	1
Modesto (Calif.) Bee	1
Montreal Gazette	1
Muskegon Chronicle	2
National Catholic Welfare Conference News Service	2
National Herald (Greek)	1
Nashville (Tenn.) Banner	1
Nashville (Tenn.) Tennesseean	4
Nassau Daily Review Star	2
Newark (N. J.) Ledger	2
Newark (N. J.) Evening News	2
New Britain (Conn.) Herald	1
New Castle (Pa.) News	1
New Haven (Conn.) Register	1
New Mexico State Tribune, Albuquerque	1
New Orleans (La.) States	2
New Orleans (La.) Times-Picayune	1
Newport (R. I.) Daily News	1
Newspaper Enterprise Association	3
New York Daily News	7
New York Daily Worker	2
New York Herald Tribune	12
New York Herald-Tribune Syndicate	2
New York Journal American	3
New York Journal of Commerce	5
New York Post	2
New York Sun	3
[fol. 2335] New York Times	23
New York World-Telegram	1
Niagara Falls (N. Y.) Gazette	1
Oil City Derrick	1
Oklahoma City Times	2
Omaha World-Herald	1
Oregon Journal, Portland	1
Orlando (Fla.) Daily Newspapers	1
Orlando Sentinel and Reporter Star	1
Overseas News Agency	1
Palm Beach Post-Times	1
Panama City News Herald	1

Name of Newspaper or Agency	*Number of Representatives Accredited*
Parkersburg (W. Va.) News	1
Pensacola (Fla.) Journal and News	1
Philadelphia Bulletin	3
Philadelphia Inquirer	8
Philadelphia Record	3
Pittsburgh (Pa.) Post-Gazette	2
Pittsburgh (Pa.) Press	1
Pittsfield (Mass.) Eagle	1
PM	5
Pontiac (Mich.) Daily Press	2
Portland (Maine) Evening Express	1
Portland (Maine) Press Herald	1
Providence (R. I.) Evening Bulletin	1
Providence (R. I.) Journal	2
Radio News Bureau	2
Raleigh (N. C.) News and Observer	1
Reuter's (Ltd.) London, England	5
Richmond News-Leader	1
Rochester Chronicle and Democrat	1
Rochester Times-Union	1
Rock Island Argus	1
Rocky Mount (N. C.) Telegram	1
Rome (N. Y.) Sentinel	1
St. Joseph (Mo.) News-Press	1
St. Louis (Mo.) Post-Dispatch	5
[fol. 2336] St. Louis Star-Times	1
St. Paul (Minn.) Dispatch	1
St. Paul (Minn.) Pioneer Press	1
St. Petersburg Independent	1
St. Thomas (Ontario) Times-Journal	1
Sacramento (Calif.) Bee	1
Saginaw (Mich.) News	2
Salt Lake (Utah) Tribune	1
San Antonio (Tex.) Express	2
Sandusky (Ohio) Register	1
Sandusky (Ohio) Star-Journal	1
Sanford (Fla.) Herald	1
San Francisco Daily News	1
San Francisco Examiner	2
Schenectady (N. Y.) Gazette	1

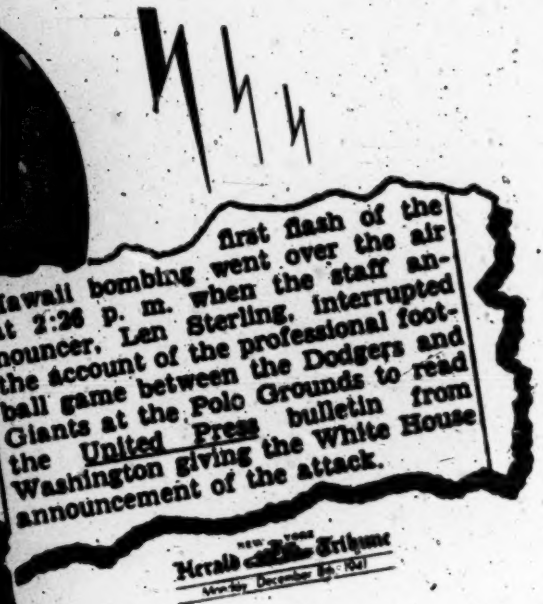
Name of Newspaper or Agency	*Number of Representatives Accredited*
Science Service	1
Scranton (Pa.) Times	1
Scripps-Howard Newspaper Alliance	10
Shreveport Journal	1
Shreveport (La.) Times	2
Sioux City (Iowa) Journal	1
Southan Newspapers of Canada	1
Spartanburg (S. C.) Herald-Journal	1
Spokane Spokesman-Review	1
Springfield (Mass.) Daily News	2
Springfield (Mass.) Republican	1
Springfield (Mass.) Union	1
Stamford (Conn.) Advocate	1
Stratford (Ontario) Beacon-Herald	1
Stuart (Fla.) Daily News	1
Sydney (Australia) Morning Herald	1
Syracuse (N. Y.) Herald-Journal	1
Telegraph Agency of the U. S. S. R.	3
Teleradio News Agency	2
Terre Haute (Ind.) Star	1
Terre Haute (Ind.) Tribune	1
[fol. 2337] Toledo (Ohio) Blade	2
Toledo (Ohio) Times	1
Topeka (Kans.) Daily Capital	1
Toronto Evening Telegram	1
Traffic World, Chicago	4
Tri-State News Service (Pa.)	1
Troy (N. Y.) Record	1
Troy (N. Y.) Times	1
Tucson Daily Citizen	1
Tulsa (Okla.) World	3
United Features Syndicate	3
United States News Association	8
Utica (N. Y.) Observer-Dispatch	1
Wall Street Journal	12
Wabash (Ind.) Plain Dealer	1
Washington Evening Star	15
Washington City News Service	5
Washington Daily News	15
Washington Post	21

Name of Newspaper or Agency	*Number of Representatives Accredited*
Washington Times-Herald	25
Waterbury (Conn.) American	1
Waterloo (Iowa) Daily Courier	1
Watertown (N. Y.) Daily Times	1
Waterville (Maine) Sentinel	1
Wheeling Intelligencer	1
Wichita Beacon	1
Wichita Falls (Tex.) Record-News	1
Wichita Falls (Tex.) Times	1
Wilmington (N. C.) Star-News	1
Winston-Salem Journal	1
Winnipeg Free Press	1
Women's Wear Daily	2
Worcester (Mass.) Gazette	2
Yorkshire (England) Post	1
Youngstown (Ohio) Vindicator	3

(Here follows photolithograph side folio 2338)

Exhibit B

Ahead from the first flash!



. . . and the United Press wire 18 minutes later carried the first eye-witness account—telephoned from Honolulu while bombs still were falling—of the air raid on Pearl Harbor.

In lightning succession followed scores of other first-news bulletins from the more than 100 United Press correspondents deployed over the entire Far East—keeping United Press reports consistently ahead, proving again that United Press provides "the world's best coverage of the world's biggest news."

U.P.

UNITED PRESS

[fol. 2339] AFFADAVIT OF TIMOTHY N. PFEIFFER

STATE OF NEW YORK,
County of New York, ss:

Timothy N. Pfeiffer, being duly sworn, deposes and says:

I am a member of the firm of Milbank, Tweed and Hope, attorneys for the defendants, The Associated Press, et al., in the above-entitled case, and am admitted to practice in this Court. I am familiar with the proceedings heretofore had herein and, together with numerous legal associates and with employees of The Associated Press, have been engaged in making studies of the records of The Associated Press.

As appears from its records, The Associated Press, shortly after its incorporation in 1900 under the Membership Laws of the State of New York, had between 600 and 700 members. Since that time there have been 1890 additions to the membership, as shown by the printed annual reports of The Associated Press, copies of which are in the possession of the plaintiff. Exhibit A, annexed hereto, is a tabulation from the printed annual reports showing the number of applicants elected each year from 1901-1942, inclusive.

The printed annual reports also show that during the same period at least 21 members were expelled.

The records of The Associated Press also show that the number of present members who were elected to membership following waivers of rights of protest is at least 200. No check has been made of the number of members throughout the period who were elected following waivers of rights of protest, but who have resigned and are not now members.

Annexed hereto and marked Exhibit B is a list of 496 cities in the United States having daily newspapers, none of which were members of The Associated Press, as of September 30, 1941, together with city population, name of paper, morning or evening, circulation and news service subscribed to. This list was compiled from information contained in Editor & Publisher International Year Book [fol. 2340] 1942 as corrected by reference to the list of As-

sociated Press members as of September 30, 1941, annexed to the affidavit of Robert R. Booth sworn to June 21, 1943.

Timothy N. Pfeiffer.

Sworn to before me this 21 day of June, 1943. Pearl E. Loeber, Notary Public. (Seal.)

EXHIBIT A

Tabulation of the Number of AP Members Elected Each Year Since 1900 Compiled from Printed Annual Reports of AP, 1901-1941, Both Inclusive

1901-25	1915-27	1929-49
1902-14	1916-73	1930-40
1903-25	1917-160	1931-32
1904-61	1918-92	1932-17
1905-48	1919-111	1933-41
1906-52	1920-61	1934-27
1907-55	1921-53	1935-45
1908-19	1922-26	1936-25
1909-39	1923-45	1937-60
1910-21	1924-36	1938-35
1911-42	1925-35	1939-16
1912-49	1926-73	1940-17
1913-51	1927-73	1941-15
1914-42	1928-45	1942-18

EXHIBIT B

List of 496 Cities in the United States Having Daily Newspapers, None of Which Were Members of The Associated Press as of September 30, 1941, Together with City Population, Name of Paper, Morning or Evening, Circulation and News Service Subscribed to

[fol. 2341]

City	Population	Name of Paper	Morning or Evening	Circulation	News Service Subscribed To
Eufaula (Alabama)	6,269	Tribune	Evening	3,824	None
Talladega (Alabama)	9,298	Home	Evening	1,420	INS
Yuma (Arizona)	5,325	Sun & Sentinel	Evening	4,435	UP
Arkadelphia (Arkansas)	5,078	Siftings Herald	Evening	Not given	UP
Batesville (Arkansas)	5,267	Guard	Evening	2,142	UP
Blythesville (Arkansas)	10,652	Courier-News	Evening	5,627	UP
De Queen (Arkansas)	3,055	Bee-Citizen	Evening	1,183	UP
Eureka Springs (Arkansas)	1,770	Times-Echo	Evening	710	None
Forrest City (Arkansas)	5,699	Times-Herald	Evening	1,477	UP
Harrison (Arkansas)	4,238	Times	Evening		
			Ex. Sat.	1,750	UP
			Sun. Ed.	1,750	
Mena (Arkansas)	3,510	Star	Evening	930	UP
Newport (Arkansas)	4,321	Independent	Evening	Not given	UP
Rogers (Arkansas)	3,550	News	Evening	2,528	UP
[fol. 2342]					
Siloam Springs (Arkansas)	2,764	Herald-Democrat	Evening	2,724	None
Wynne (Arkansas)	3,633	Star-Progress	Evening	2,670	UP
Alameda (California)	36,256	Times-Star	Evening	5,368	UP
Anaheim (California)	11,031	Bulletin	Evening	2,867	UP
Antioch (California)	5,106	Ledger	Evening		
			Ex. Sat.	1,656	UP
Berkeley (California)	85,547	Gazette	Evening	10,871	UP
Brawley (California)	11,718	News	Morning		
			Evening	2,965	UP
Burbank (California)	34,337	Review	Evening	3,003	UP
Burlingame (California)	15,940	Advance	Evening	3,717	UP INS
Coalinga (California)	5,026	Record	Evening		
			Ex. Sat.	1,179	UP
Colusa (California)	2,285	Sun-Herald	Evening	1,947	UP
Corning (California)	1,472	Observer	Evening	1,065	UP
Corona (California)	8,764	Independent	Evening		
			Ex. Sat.	1,640	UP
				1,640	

1909

[fol. 2343]

City	Population	Name of Paper	Morning or Evening	Circulation	News Service Subscribed To
El Centro (California)	10,017	Imperial Valley Press	Evening Ex. Sat.	3,622	UP
		Morning Post	Morning Ex. Mon.	2,961	UP
			Sun. Ed.	6,583	UP
Escondido (California)	4,560	Times-Advocate	Evening	1,145	UP
Fullerton (California)	10,442	News-Tribune	Evening	3,197	UP
Gilroy (California)	3,415	Dispatch	Evening Ex. Sat.	1,671	UP
Hanford (California)	8,234	Journal	Morning Ex. Mon.	1,614	UP
		Sentinel	Evening	1,491	UP
			Sun. Ed.	1,614	UP
Haward (California)	6,737	Review	Evening	3,988	UP
Hollister (California)	3,881	Free Lance	Evening	1,685	UP
Huntington Park (California)	26,648	Signal	Evening	5,418	UP
Inglewood (California)	30,114	News	Evening	5,077	UP
Madera (California)	6,457	Tribune	Evening	1,757	UP
Martinez (California)	7,381	Contra Costa Gazette	Evening	4,707	UP

[fol. 2344]

Marysville & Yuba City (California)	15,251	Appeal-Democrat	Evening	6,332	UP
Merced (California)	10,135	Sun-Star	Evening	4,200	UP
Oceanside (California)	4,651	Blade-Tribune	Evening Ex. Sat.	1,494	UP
Ontario (California)	14,197	Report	Evening	4,369	UP
Orange (California)	7,901	News	Evening	2,694	UP
Oroville (California)	4,421	Mercury-Register	Morning	2,479	UP
Oxnard (California)	8,519	Press-Courier	Evening	2,487	UP
Pittsburg (California)	9,520	Independent	Morning Ex. Mon.	2,496	UP
		Post-Dispatch	Evening Ex. Sat.	2,159	UP
Porterville (California)	6,270	Recorder	Evening	2,048	UP

Red Bluff (California)	3,824	News	Evening	1,866	UP
Redlands (California)	14,324	Facts	Evening	2,643	UP
Richmond (California)	23,642	Independent	Evening	7,708	UP
		Record-Herald	Morning		
			Ex. Mon.	3,423	UP
			Sun. Ed.	3,423	
Roseville (California)	6,653	Press	Evening		
			Ex. Sat.	1,229	UP
[fol. 2345]					
Salinas (California)	11,586	Index-Journal	Evening	7,091	UP
		Post	Morning		
			Ex. Mon.	1,102	
			Sun. Ed.	1,102	
San Luis Obispo (California)	8,881	Telegram-Tribune	Evening	5,621	UP
San Mateo (California)	19,403	Times	Evening	6,235	UP
San Rafael (California)	8,573	Independent	Evening	4,195	UP
Santa Maria (California)	8,522	Times	Evening	2,723	UP
Santa Paula (California)	8,966	Chronicle	Evening	1,756	UP
Taft (California)	3,206	Midway Driller	Evening	3,468	UP
Turlock (California)	4,839	Journal	Evening	3,012	UP
Ventura (California)	13,264	Star-Free Press	Evening	7,715	UP
Watsonville (California)	8,937	Register-Pajaronian	Evening	2,862	UP
		Sun	Morning		
			Ex. Mon.	2,409	UP
			Sun. Ed.	2,409	UP
Whittier (California)	16,115	News	Evening	Not given	UP
Willows (California)	2,215	Journal	Evening		
			Ex. Sat.	1,805	UP
[fol. 2346]					
Wilmington (California)	21,000	Journal	Evening	5,721	INS
		Press	Evening	5,748	UP
Woodland (California)	6,637	Democrat	Evening	2,724	INS
Yreka (California)	3,991	Siskiyou News	Evening		
			Ex. Sat.	2,625	UP
Alamosa (Colorado)	5,613	Courier	Evening	2,154	UP
Canon City (Colorado)	6,690	Record	Evening	2,116	UP

City	Population	Name of Paper	Morning or Evening	Circulation	News Service Subscribed To
Cripple Creek (Colorado)	2,358	Times-Record	Evening Ex. Sat.	1,187	None
Lamar (Colorado)	4,445	News	Evening	Not given	UP
Loveland (Colorado)	6,145	Reporter-Herald	Evening	2,673	UP
Montrose (Colorado)	4,764	Press	Evening	3,0[illegible]	UP
Rocky Ford (Colorado)	3,494	Gazette-Topic	Evening Ex. Sat.	2,500	None
Salida (Colorado)	4,969	Mail	Evening	1,278	UP
Walsenburg (Colorado)	5,855	World-Independent	Evening Ex. Sat.	2,488	UP
[fol. 2347]					
Greenwich (Connecticut)	35,509	Time	Evening Ex. Sat.	3,679	UP
Middletown (Connecticut)	26,495 34,097 (ABC City)	Press	Evening	11,890	UP
Naugatuck (Connecticut)	15,388	News	Evening	3,297	UP
Willimantic (Connecticut)	12,101	Chronicle	Evening	3,475	INS
Winsted (Connecticut)	7,674	Citizen	Evening	2,234	UP
Deland (Florida)	7,041	Sun News	Evening	2,827	UP
Lake Worth (Florida)	7,048	Leader	Evening	2,209	UP
Miami Beach (Florida)	28,012	Tropics	Evening Sun. Ed.	8,680 Not given	INS TR
Palm Beach (Florida)	3,747	News	Morning &	Not given	INS
Dublin (Georgia)	7,814	Courier-Herald	Evening	6,638	UP
La Grange (Geofgia)	21,983	News	Evening	4,330	UP
[fol. 2348]					
Marietta (Georgia)	8,667	Journal	Evening Ex. Sat.	3,877	UP
Milledgeville (Georgia)	6,778	Times	Evening Ex. Sat.	2,341	UP
Coeur d'Alene (Idaho)	10,049	Press	Evening	3,190	UP
Beardstown (Illinois)	6,505	Illinoian-Star	Evening	2,561	UP
Belvidere (Illinois)	8,094	Republican	Evening	3,960	UP

Casey (Illinois)	2,543	Reporter	Evening	1,770	UP
			Ex. Sat.		
Clinton (Illinois)	6,331	Journal-Public	Morning		
			Ex. Mon.	2,137	UP
			Sun. Ed.	2,137	
Dekalb (Illinois)	9,146	Chronicle	Evening	6,087	UP
East St. Louis (Illinois)	75,609	Journal	Evening		
			Ex. Sat.	14,176	UP
			Sun. Ed.	15,674	
Edwardsville (Illinois)	8,008	Intelligencer	Evening	4,690	UP
Effingham (Illinois)	6,180	Record	Evening	Not given	None
Harrisburg (Illinois)	11,453	Register	Evening	5,454	UP
Herrin (Illinois)	9,352	Journal	Evening	5,042	INS UP
[fol. 2349]					
Hoopeston (Illinois)	5,381	Chronicle-Herald	Evening	2,642	UP
Lewiston (Illinois)	2,355	Record	Evening	1,134	UP
Litchfield (Illinois)	7,048	News-Herald	Evening	3,654	UP
Marion (Illinois)	9,251	Post	Evening	4,242	UP
		Republican	Evening	4,171	INS
Marseilles (Illinois)	4,455	Press	Evening	1,380	INS
Matoon (Illinois)	15,827	Journal-Gazette	Evening	6,927	INS.
	16,824 (ABC City)				
Morris (Illinois)	6,145	Herald	Evening	3,375	UP
Mount Carmel (Illinois)	6,987	Republican-Register	Evening	3,855	UP
Murphysboro (Illinois)	8,976	Independent	Evening	3,955	UP
Olney (Illinois)	7,831	Mail	Evening	4,700	INS
Paris (Illinois)	9,281	Beacon-News	Evening	5,108	UP
Paxton (Illinois)	3,106	Record	Evening		
			Ex. Thurs.	817	None
Pekin (Illinois)	19,407	Times	Evening	7,229	UP
Pontiac (Illinois)	9,585	Leader	Evening	3,806	UP
Robinson (Illinois)	4,311	News	Evening	3,980	UP
[fol. 2350]					
Savanna (Illinois)	4,792	Times-Journal	Evening	2,009	UP
Shelbyville (Illinois)	4,092	Union	Evening	1,478	UP
Watseka (Illinois)	3,744	Iroquois County Times	Evening	4,312	UP

1914

City	Population	Name of Paper	Morning or Evening	Circulation	News Service Subscribed To
			Ex. Sat.		
West Frankfort (Illinois)	12,383	American	Evening	3,887	UP
Wheaton (Illinois)	7,389	Journal	Evening	2,752	None
Wood River (Illinois)	8,197	Press	Evening	Not given	None
Woodstock (Illinois)	6,123	Sentinel	Evening	3,882	None
Alexandria (Indiana)	4,801	News	Evening	810	INS
		Times-Tribune	Evening	Not given	UP INS
Auburn (Indiana)	5,415	Star	Evening	2,073	UP
Bloomfield (Indiana)	2,271	World	Evening	3,037	INS
Bluffton (Indiana)	5,417	News-Banner	Morning	4,032	UP
Brazil (Indiana)	5,126	Times	Evening	4,397	UP
Clinton (Indiana)	7,092	Clintonian	Evening	3,141	UP
Columbia City (Indiana)	4,219	Commercial-Mail	Evening	1,359	UP
		Post	Evening	1,776	UP
Decatur (Indiana)	5,861	Democrat	Evening	3,321	UP
[fol. 2351]					
Dunkirk (Indiana)	2,942	News	Morning	965	UP
Edinburg (Indiana)	2,466	Courier	Evening	1,860	None
Elwood (Indiana)	10,913	Call-Leader	Evening	2,214	UP
Franklin (Indiana)	6,264	Star	Evening	3,897	INS
Greencastle (Indiana)	4,872	Banner	Evening	3,840	UP
Greenfield (Indiana)	4,821	Reporter	Evening	2,447	INS
Greenburg (Indiana)	6,065	News	Evening	3,643	INS
Hammond (Indiana)	70,184	Times	Evening		
(ABC City)	150,120		Ex. Sat.	27,837	UP INS CP
			Sun. Ed.	27,379	
Hartford City (Indiana)	6,946	News-Times	Evening	3,806	UP
Huntington (Indiana)	13,903	Herald-Press	Evening		
			Ex. Sat.	7,005	UP
			Sun. Ed.	7,016	
		News	Evening	Not Given	None
Jeffersonville (Indiana)	11,493	News	Evening	2,724	None
Kendalville (Indiana)	5,431	News-Sun	Evening	2,410	UP
La Porte (Indiana)	16,180	Herald-Argus	Evening	8,327	UP

Lebanon (Indiana)	6,529	Reporter	Evening	3,881	UP
[fol. 2352]					
Linton (Indiana)	6,263	Citizen	Evening	4,015	UP
Martinsville (Indiana)	5,009	Reporter	Evening	2,750	UP
Monticello (Indiana)	3,153	Herald-Journal	Evening	3,038	UP
Mount Vernon (Indiana)	5,638	Democrat	Evening	2,628	UP
New Albany (Indiana)	25,414	Tribune	Evening	4,596	None
Noblesville (Indiana)	5,575	Ledger	Evening	3,707	INS
Peru (Indiana)	12,432	Tribune	Evening	7,145	UP
Plymouth (Indiana)	5,713	News	Evening	Not given	UP
		Pilot	Evening	Not given	UP
Princeton (Indiana)	7,786	Clarion-News	Evening	2,160	UP
		Democrat	Evening	2,369	UP
Rensselaer (Indiana)	3,214	Republican	Evening	1,812	None
Rochester (Indiana)	3,835	News-Sentinel	Evening	3,287	INS
Spencer (Indiana)	2,375	World	Evening Ex. Sat.	2,913	INS
Sullivan (Indiana)	5,077	Times	Evening	3,337	UP
Tipton (Indiana)	5,101	Tribune	Evening	2,669	UP
Union City (Indiana)	3,533	Times-Gazette	Morning	2,157	INS
Valparaiso (Indiana)	8,738	Vidette-Messenger	Evening	4,714	UP
[fol. 2353]					
Wabash (Indiana)	9,653	Plain Dealer	Evening	5,312	UP
Warsaw (Indiana)	6,378	Times	Evening	3,192	UP
		Union	Morning	2,567	UP
Winchester (Indiana)	5,303	News	Morning	1,725	UP
		Journal-Herald	Morning	1,610	UP
Ames (Iowa)	12,555	Tribune	Evening	4,608	UP
Atlantic (Iowa)	5,802	News-Telegraph	Evening	4,649	INS
Cedar Falls (Iowa)	9,349	Record	Evening	2,440	None
Fairfield (Iowa)	6,773	Ledger	Evening	4,514	INS
Fort Madison (Iowa)	14,063	Democrat	Evening	5,301	UP
Keokuk (Iowa)	15,076	Gate City & Constitution-Democrat	Evening	6,341	UP
Mount Pleasant (Iowa)	4,610	News	Evening	2,985	INS
Nevada (Iowa)	3,353	Journal	Evening	4,364	INS

City	Population	Name of Paper	Morning or Evening	Circulation	News Service Subscribed To
Oelwein (Iowa)	7,801	Register	Evening	3,973	UP
Oskaloosa (Iowa)	11,024	Herald	Evening	5,437	UP
Shenandoah (Iowa)	6,846	Sentinel	Evening	3,500	UP
Vinton (Iowa)	4,163	Cedar Valley Times	Evening	4,603	INS
[fol. 2354]					
Washington (Iowa)	5,227	Journal	Evening	3,143	UP
Augusta (Kansas)	3,321	Gazette	Evening		
			Ex. Sat.	1,876	None
Burlington (Kansas)	2,379	Republican	Evening		
			Ex. Sat.	2,463	None
Caldwell (Kansas)	1,962	Messenger-News	Evening	1,538	None
Caney (Kansas)	2,629	Chronicle	Evening	1,017	None
Columbus (Kansas)	3,402	Advocate	Evening	2,340	None
Council Grove (Kansas)	2,875	Republican	Evening	1,910	None
Goodland (Kansas)	3,306	News	Evening	1,445	None
Hiawatha (Kansas)	3,238	World	Evening	3,132	None
Kansas City (Kansas)	121,458	Kansan	Evening	18,291	UP
			Sun. Ed.	18,066	
Liberal (Kansas)	4,410	Southwest Times	Evening		
			Ex. Sat.	3,644	UP
			Sun. Ed.	3,644	
St. John (Kansas)	1,735	Capital	Evening		
			Ex. Sat.	1,263	None
Glasgow (Kentucky)	5,815	News	Evening		
			Ex. Sat.	2,837	None
[fol. 2355]					
Middlesboro (Kentucky)	11,777	News	Evening	3,992	UP
Houma (Louisiana)	9,052	Courier	Evening		
			Ex. Sat.	3,375	UP
Opelousas (Louisiana)	8,980	World	Evening		
			Ex. Mon.	2,811	
Ruston (Louisiana)	7,107	Leader	Sun. Ed.	2,890	UP
Amesbury (Massachusetts)	10,862	News	Evening	2,850	UP
			Evening	2,500	None

Beverly (Massachusetts)	25,537	Times	Evening	5,524	INS
Cape Cod-Hyannins (Massachusetts)	37,295	Cape Cod Standard Times	Evening	10,470	UP
Chelsea (Massachusetts)	41,259	Record	Evening	3,638	None
Clinton (Massachusetts)	12,440	Item	Evening	2,864	INS
Framingham (Massachusetts)	23,214	News	Evening	6,672	INS
Gloucester (Massachusetts)	24,046	Times	Evening	7,629	INS
[fol. 2356]					
Yolyoke (Massachusetts)	53,750	Transcript-Telegram	Evening	19,740	UP
Malden (Massachusetts)	58,010	News	Evening	10,014	None
Marlboro) sold only in combination	15,154	Enterprise	Evening	4,865	UP
Hudson) (Massachusetts)	8,042	Sun	Evening	1,890	UP
Medford (Massachusetts)	63,083	Mercury	Evening	4,263	None
Milford (Massachusetts)	15,388	News	Evening	4,652	INS
Newburyport (Massachusetts)	13,916	News	Evening	5,299	INS
North Attleboro (Massachusetts)	10,359	Chronicle	Evening	2,950	INS
Quincy (Massachusetts)	75,810	Patriot-Ledger	Evening	22,674	UP
Southbridge (Massachusetts)	16,825	News	Evening	2,367	UP
Wakefield (Massachusetts)	16,223	Item	Evening Ex. Sat.	3,484	None
Woburn (Massachusetts)	19,751	Times	Evening	3,850	INS
[fol. 2357]					
Albion (Michigan)	8,345	Recorder	Evening	2,675	UP
Alpena (Michigan)	12,808	News	Evening	5,570	UP
Big Rapids (Michigan)	4,987	Pioneer	Evening	3,711	UP
Cadillac (Michigan)	9,855	News	Evening	4,053	UP
Cheboygan (Michigan)	5,673	Tribune	Evening	3,984	UP
Coldwater (Michigan)	7,343	Reporter	Evening	3,219	UP
Dowagiac (Michigan)	5,007	News	Evening	2,303	UP
Greenville (Michigan)	5,321	News	Evening	2,470	UP
Holland (Michigan)	14,616	Sentinel	Evening	6,802	UP
Manistee (Michigan)	8,694	News Advocate	Evening	3,470	UP
Marshall (Michigan)	5,253	Chronicle	Evening	2,766	UP
Midland (Michigan)	10,329	News	Evening	4,795	UP
Petoskey (Michigan)	6,019	News	Evening	2,843	UP
Royal Oak (Michigan)	25,087	Tribune	Evening	13,019	UP
South Haven (Michigan)	4,745	Tribune	Evening	2,510	UP

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[fol. 2358]

City	Population	Name of Paper	Morning or Evening	Circulation	News Service Subscribed To
Sturgis (Michigan)	7,214	Journal	Evening	5,594	UP
Three Rivers (Michigan)	6,710	Commercial	Evening	3,594	UP
Traverse City (Michigan)	14,455	Record-Eagle	Evening	6,120	UP
Brainerd (Minnesota)	12,071	Dispatch	Evening	5,617	UP
Morrhead (Minnesota)	9,491	News	Evening	5,400	UP
New Ulm (Minnesota)	8,743	Journal	Evening	4,183	UP
South St. Paul (Minnesota)	11,844	Reporter	Evening	4,622	UP
Stillwater (Minnesota)	7,013	Gazette	Evening	1,525	UP
Grenada (Mississippi)	5,831	Star	Evening	Not given	UP
Aurora (Missouri)	4,056	Advertiser	Evening	800	None
Brookefield (Missouri)	6,174	Argus	Evening		
			Ex. Sat.	2,990	UP

[fol. 2359]

Butler (Missouri)	2,958	Democrat	Evening	Not given	None
Cameron (Missouri)	3,615	News-Observer	Evening	1,020	None
Clinton (Missouri)	6,041	Democrat	Evening	782	None
Excelsior Springs (Missouri)	4,864	Standard	Evening	3,588	UP
			Sun. Ed.	3,588	
Independence (Missouri)	16,066	Examiner	Evening	4,009	UP
		News	Evening	Not given	None
Kirksville (Missouri)	10,080	Express & News	Evening	4,804	UP
			Ex. Sat. Sun. Ed.	4,804	
Lexington (Missouri)	5,341	Advertiser-News	Evening	3,752	UP
Neosho (Missouri)	5,318	Democrat	Evening	1,080	UP
Rich Hill (Missouri)	1,994	Review	Evening	533	None
Rolla (Missouri)	5,141	New Era	Evening	2,000	UP
St. Charles (Missouri)	10,803	Banner-News	Evening	1,703	None
		Cosmos-Monitor	Evening	1,800	None
Warrensburg (Missouri)	5,868	Star-Journal	Evening	2,102	UP

[fol. 2360]

Webb City (Missouri)	7,033	Sentinel	Evening	440	None
West Plains (Missouri)	4,026	Quill	Evening	1,296	None

Havre (Montana)	6,427	News	Morning		
			Ex. Mon.	3,278	UP
		Sunday Journal	Sun. Ed.	3,278	
Columbus (Nebraska)	7,632	Telegram	Evening	4,806	UP
Fall City (Nebraska)	6,146	Journal	Evening	4,020	UP
Holdredge (Nebraska)	3,360	Citizen	Evening	3,308	None
Kearney (Nebraska)	9,643	Hub	Evening	4,066	UP
McCook (Nebraska)	6,212	Gazette	Evening	4,389	UP
Nebraska City (Nebraska)	7,339	News-Press	Evening	4,095	UP
			Ex. Sat.		
			Sun. Ed.	4,095	
Plattsmouth (Nebraska)	4,268	Journal	Evening	Not given	UP
York (Nebraska)	5,383	News-Times	Evening	2,318	UP
Carson City (Nevada)	2,478	Appeal	Evening	650	UP
Elko (Nevada)	4,094	Free Press	Evening	1,974	UP
[fol. 2361]					
Ely (Nevada)	4,140	Times	Evening	1,790	UP
Las Vegas (Nevada)	8,422	Review-Journal	Evening	6,027	UP
(City Zone)	13,000		Evening		
Tonopah (Nevada)	2,471	Times-Bonanza	Evening	1,857	UP
Winnemucca (Nevada)	2,485	Humboldt Star	Ex. Sat.	3,521	UP
Bayonne (New Jersey)	79,198	Times	Evening	14,216	INS
Camden (New Jersey)	117,536	Courier	Evening	56,082	UP INS
		Post	Morning	16,051	UP INS
Ocean City (New Jersey)	4,672	Sentinel-Ledger	Evening		
			Ex. Sat.	3,208	None
Red Bank (New Jersey)	10,974	Standard	Evening	3,500	UP
Woodbury (New Jersey)	8,306	Times	Evening	7,908	UP
Portales (New Mexico)	5,104	News	Evening		
			Ex. Sat.	2,931	UP
Catskill (New York)	5,429	Mail	Evening	3,185	UP
Cohoes (New York)	21,955	American	Evening	7,652	INS UP
[fol. 2362]					
Dansville (New York)	4,976	Breeze	Evening		
			Ex. Sat.	1,535	None

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City	Population	Name of Paper	Morning or Evening	Circulation	News Service Subscribed To
Dunkirk (New York)	17,713	Observer	Evening	5,814	UP
Endicott (New York)	19,718	Bulletin	Evening	5,990	INS
Herkimer (New York)	9,617	Telegram	Evening	5,581	UP
Medina (New York)	5,871	Journal-Register	Evening	2,418	None
Middletown (New York)	21,908	Times-Herald	Evening	6,566	UP
Newburgh (New York)	31,883	News	Evening	10,341	UP
Beacon (New York)	12,572	News	Evening	3,413	UP
[fol. 2363]					
Monticello (New York)	3,737	News	Evening	(New Daily)	None
Nyack (New York)	5,206	Journal-News	Evening	6,189	INS
Olean, (New York)	21,506	Times Herald	Evening	11,716	UP
Oneida (New York)	10,291	Dispatch	Evening	3,714	UP
Saugerties (New York)	3,916	Post	Evening	903	None
Tonawanda & N. Tonawanda (New York)	33,262	News	Evening	4,568	UP
Hendersonville (North Carolina)	5,381	Times-News	Evening	3,240	UP
[fol. 2364]					
Kinston (North Carolina)	15,388	Free Press	Evening	4,686	UP
Reidsville (North Carolina)	10,387	Review	Evening		
			Ex. Sat.	4,576	UP
Ashland (Ohio)	12,453	Times-Gazette	Evening	6,653	UP
Ashtabula (Ohio)	21,405	Star-Beacon	Evening	12,390	UP
Bellaire (Ohio)	13,799	Leader	Evening	5,700	UP
Bellefontaine (Ohio)	9,808	Examiner	Evening	6,279	INS
Bellevue (Ohio)	6,127	Gazette	Evening	2,226	UP
Bowling Green (Ohio)	7,190	Sentinel-Tribune	Evening	4,317	INS
Bucyrus (Ohio)	9,077	Telegram-Forum	Evening	5,516	UP
Cambridge (Ohio)	15,044	Jeffersonian	Evening	11,828	UP
Celina (Ohio)	4,841	Standard	Evening	4,005	UP
Circleville (Ohio)	7,982	Herald	Evening	3,768	UP
Conneaut (Ohio)	9,355	News-Herald	Evening	4,059	UP
Coshocton (Ohio)	11,509	Tribune & Times-Age	Evening	8,345	UP
			Sun. Ed	8,379	

[fol. 2365]

Covington (Ohio)	1,945	Stillwater Valley News	Evening Ex. Sat.	2,174	INS
Defiance (Ohio)	9,744	Crescent-News	Evening	4,303	INS
Delaware (Ohio)	8,944	Gazette	Evening	3,623	UP
Delphos (Ohio)	5,746	Herald	Evening	1,575	UP
Dennison (Ohio)	4,413	Paragraph	Evening	Not given	None
Dover (Ohio)	9,691	Reporter	Evening	6,911	INS
East Palestine (Ohio)	5,123	Leader	Evening	1,640	UP
Elyria (Ohio)	35,120	Chronicle-Telegram	Evening	12,096	UP
Fostoria (Ohio)	13,453	Review	Evening	2,940	UP
		Times	Evening	3,184	INS
Fremont (Ohio)	14,710	News-Messenger	Evening	9,687	UP
Galion (Ohio)	8,685	Inquirer	Evening	2,918	UP
Geneva (Ohio)	4,171	Free Press	Evening	2,011	None
Greenfield (Ohio)	4,228	Times	Evening Ex. Sat.	3,310	None
Greenville (Ohio)	7,745	Advocate	Evening	7,909	UP
Kenton (Ohio)	7,593	Democrat	Evening	2,783	UP

[fol. 2366]

Kenton (cont'd)		News-Republican	Evening	3,317	INS
Lisbon (Ohio)	3,379	Journal	Evening	1,350	INS
Manchester (Ohio)	2,163	Signal	Morning	3,221	None
Marietta (Ohio)	14,543	Times	Evening	9,553	UP
Martins Ferry (Ohio)	14,729				
(A. B. C. City)	33,381	Times	Evening	10,389	UP INS
Marysville (Ohio)	4,037	Tribune	Evening	3,374	UP
Mechanicsburg (Ohio)	1,653	Telegram	Evening Ex. Sat.	2,750	None
New Philadelphia (Ohio)	12,328	Times	Evening	8,979	INS
Niles (Ohio)	16,273	Times	Evening	3,986	UP
Norwalk (Ohio)	8,211	Reflector-Herald	Evening	4,157	UP
Painesville (Ohio)	12,235				
(A. B. C. City)	16,763	Telegraph	Evening	8,268	UP
Piqua (Ohio)	16,049	Call	Evening	7,279	UP
Pomeroy (Ohio)	3,581	Tribune-Telegraph	Evening		

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City	Population	Name of Paper	Morning or Evening	Circulation	News Service Subscribed To
			Ex. Sat.	2,950	INS
			Sun. Ed.	2,950	
Ravenna (Ohio)	8,538				
(A. B. C. City)	19,119	Record	Evening	7,447	UP
[fol. 2367]					
St. Marys (Ohio)	5,532	Leader	Evening	2,518	INS
Shelby (Ohio)	6,643	Globe	Evening	2,300	INS
Sidney (Ohio)	9,790	News	Evening	7,752	INS
Tiffin (Ohio)	16,102	Advertiser-Tribune	Evening	7,787	UP
Toronto (Ohio)	7,426	Tribune	Evening	2,243	None
Troy (Ohio)	9,697	News	Evening	3,754	UP
Uhrichsville (Ohio)	6,435	Chronicle	Evening	3,496	INS
Urbana (Ohio)	8,335	Citizen	Evening		
			Ex. Sat.	4,251	INS
Wapakonets (Ohio)	5,225	News	Evening	3,020	UP
Wellston (Ohio)	5,537	Sentinel	Evening	Not given	None
Wooster (Ohio)	11,543	Record	Evening	11,090	INS
Xenia (Ohio)	10,633	Gazette	Evening	5,531	UP
Altus (Oklahoma)	8,593	Times-Democrat	Evening		
			Ex. Sat.	4,219	UP
			Sun. Ed.	4,219	
Alva (Oklahoma)	5,055	Review-Courier	Evening		
			Ex. Sat.	4,186	UP
			Sun. Ed.	4,186	
[fol. 2368]					
Anadarko (Oklahoma)	5,579	News	Evening		
			Ex. Sat.	3,926	UP
			Sun. Ed.	3,926	
Claremore (Oklahoma)	4,134	Messenger	Morning		
			Ex. Mon.	Not given	None
			Sun. Ed.	Not given	None
		Progress	Evening		
			Ex. Wed.	Not given	UP

Cushing (Oklahoma)	7,703	Citizen	Evening Ex. Sat. Sun. Ed.	4,080 4,080	UP
Drumright (Oklahoma)	4,303	Derrick	Evening Ex. Sat.	3,327	UP
Duncan (Oklahoma)	9,207	Banner	Evening Ex. Sat. Sun. Ed.	5,228 5,228	UP
Durant (Oklahoma)	10,027	Democrat	Evening Ex. Sat. Sun. Ed.	4,755 4,755	UP
Elk City (Oklahoma)	5,021	News	Evening Ex. Sat. Sun. Ed.	4,312 4,312	UP
Frederick (Oklahoma)	5,109	Leader	Evening	2,998	UP
Henryetta (Oklahoma)	6,905	Free Lance	Evening Ex. Sat. Sun. Ed.	2,822 2,822	UP
Hobart (Oklahoma)	5,177	Democrat-Chief	Evening Ex. Sat. Sun. Ed.	3,756 3,756	UP
[fol. 2369]					
Holdenville (Oklahoma)	6,632	News	Evening Ex. Sat. Sun. Ed.	4,048 4,048	UP
Hugo (Oklahoma)	5,909	News	Evening Ex. Sat. Sun. Ed.	1,981 1,981	UP
Mangum (Oklahoma)	4,193	Star	Evening Ex. Sat. Sun. Ed.	4,210 4,210	UP
Newkirk (Oklahoma)	2,283	Reporter	Evening Ex. Thurs.	617	None
Norman (Oklahoma)	11,429	Transcript	Evening Ex. Sat. Sun. Ed.	5,189 5,189	UP

1923

City	Population	Name of Paper	Morning or Evening	Circulation	News Service Subscribed To
Okemah (Oklahoma)	3,811	Leader	Evening Ex. Sat. Sun. Ed.	2,746 2,746	UP
Pawhuska (Oklahoma)	5,443	Journal-Capital	Evening Ex. Sat. Sun. Ed.	3,620 3,620	UP
Perry (Oklahoma)	5,045	Journal	Evening	3,981	UP
[fol. 2370]					
Pryor (Oklahoma)	2,501	Democrat	Evening Ex. Th. Sat. Sun. Ed.	1,300 1,300	UP
Sapulpa (Oklahoma)	12,249	Herald	Evening	3,496	UP
Skyre (Oklahoma)	3,037	Headlight-Journal	Daily	2,807	UP
Sulphur (Oklahoma)	4,970	News	Evening Sun. Ed.	2,000 Not given	
Vinita (Oklahoma)	5,685	Journal	Evening	3,480	UP
Wewoka (Oklahoma)	10,315	Times-Democrat	Evening Ex. Sat. Sun. Ed.	5,598 5,598	UP
Woodward (Oklahoma)	5,406	Press	Evening	4,283	UP
Albany (Oregon)	5,654	Democrat-Herald	Evening	Not given	UP
Ashland (Oregon)	4,744	Tidings	Evening	2,203	UP
Astoria (Oregon)	10,389	Astoria-Budget	Evening	4,982	UP
Bend (Oregon)	10,021	Bulletin	Evening	3,603	UP
La Grande (Oregon)	7,747	Observer	Evening	2,400	UP
Marshfield & North Bend (Oregon)	5,259 4,262	Coos Bay Times	Evening	5,657	UP
Oregon City (Oregon)	6,124	Enterprise	Morning Ex. Mon. Sun. Ed.	3,102 3,102	UP
The Dalles (Oregon)	6,266	Chronicle	Evening	2,741	UP

[fol. 2371]

Aliquippa (Penna.)	27,023	Gazette	Evening	4,023	INS	
Ambridge (Penna.)	18,968	Citizen	Evening			
			Ex. Sat.	4,780	UP	
Ashland (Penna.)	7,045	News	Evening	2,990	UP	
Beaver-Rochester (Penna.)	5,641					
	7,441	Times	Evening	7,028	UP	
Berwick (Penna.)	13,151	Waterprise	Evening	4,666	UP	
Bristol (Penna.)	11,895	Courier	Evening	3,529	INS	
Brownsville (Penna.)	8,015	Telegraph	Evening	7,618	INS	
Butler (Penna.)	24,477	(Illegible)	(Illegible)	13,958	UP	
Cannonsburg (Penna.)	12,599	(Illegible)	Evening	4,313	UP	
Carlisle (Penna.)	13,984	Sentinel	Evening	4,800	UP	
Charleroi (Penna.)	10,784	Mail	Evening	3,182	UP	
Chester (Penna.)	59,255					
(City Zone)	67,504	Times	Evening	25,079	UP INS	
Columbia (Penna.)	11,547	News	Evening	3,821	UP	
Connellsville (Penna.)	13,698	Courier	Evening	7,016	INS UP	

[fol. 2372]

Danville (Penna.)	7,122	News	Morning	2,910	UP	
Doylestown (Penna.)	4,976	Intelligencer	Evening	4,631	INS	
Du Bois (Penna.)	12,080	Courier	Morning	5,814	UP	
		Express	Evening	3,321	UP	
Franklin (Penna.)	9,948	News Herald	Evening	7,401	UP	
Homestead (Penna.)	19,041	Messenger	Evening	6,269	UP	
Huntingdon (Penna.)	7,170	News	Evening	8,049	UP	
Jeannette (Penna.)	16,220	News-Dispatch	Evening			
			Ex. Sat.	4,922	UP	
Jersey Shore (Penna.)	5,432	Herald	Evening			
			Ex. Sat.	2,500	UP	
Kittanning (Penna.)	7,550					
(A. B. C. City)	17,325	Simpson's Leader-Times	Evening	8,068	UP	
Lansdale (Penna.)	9,316	North Penn Reporter	Evening			
			Ex. Sat.	3,832	None	
Latrobe (Penna.)	11,111	Bulletin	Evening	7,235	UP	
Lewistown (Penna.)	13,017	Sentinel	Evening	9,741	INS	

City	Population	Name of Paper	Morning or Evening	Circulation	News Service Subscribed To
McKeesport (Penna.)	55,355	News	Evening	24,526	UP INS
Mahanoy City (Penna.)	13,442	Record-American	Evening	6,195	UP
[fol. 2373]					
Mechanicsburg (Penna.)	5,709	Local News	Evening	Not given	None
Milton (Penna.)	8,313	Standard	Evening	3,997	UP
Monessen (Penna.)	20,257	Independent	Evening	4,572	UP
Monongahela (Penna.)	8,825	Republican	Evening	3,841	UP
Mount Carmel (Penna.)	17,780				
(A. B. C. City)	26,007	Item	Evening	4,875	UP
Nanticoke (Penna.)	24,387	Press	Evening	Not given	None
New Castle (Penna.)	47,638	News	Evening	18,308	INS
New Kensington (Penna.)	24,055	Dispatch	Evening	7,465	UP
Morristown (Penna.)	38,181	Times-Herald	Evening	13,097	UP
Philipsburg (Penna.)	3,962	Journal	Evening	2,650	INS
Pittston (Penna.)	17,828	Gazette	Evening	5,230	UP
Punxsutawney (Penna.)	9,482	Spirit	Evening	5,430	INS
Renovo (Penna.)	3,784	Record	Evening		
			Ex. Sat.	1,158	INS
Ridgway (Penna.)	6,253	Record	Evening	2,903	UP
Shamokin (Penna.)	18,810	News-Dispatch	Evening	12,015	UP
[fol. 2374]					
Sharon (Penna.)	25,622				
(A. B. C. City)	50,366	Herald	Evening	15,520	UP
Shenandoah (Penna.)	19,790	Herald	Evening	6,407	UP
State College &	6,228				
Bellefonte (Penna.)	5,304	Centre Times	Evening	5,011	UP
Susquehanna (Penna.)	2,740				
(City Zone)	4,341	Transcript	Evening	2,188	None
Tamaqua (Penna.)	12,486	Courier	Evening	4,524	UP
Tarentum (Penna.)	9,846	Valley Daily News	Evening	7,031	UP
Tyrone (Penna.)	8,845	Herald	Evening	3,202	INS
Vandergrift (Penna.)	10,725	News	Evening	4,597	INS
West Chester (Penna.)	13,289	Local News	Evening	9,407	UP

West Warwick (Rhode Island)	18,188	Pawtuxst Valley Times	Evening Ex. Sun.	4,592	INS
Belle Fourche (South Dakota)	2,498	Post	Morning Ex. Mon.	Not given	None
[fol. 2375]					
Redfield (South Dakota)	2,428	Journal-Observer	Evening	4,285	UP
Athens (Tennessee)	6,930				
(1942 Est.)	8,100	Post-Athenian	Evening Ex. Sat.	2,818	UP
Cleveland (Tennessee)	11,351	Banner	Evening	3,560	UP
Columbia (Tennessee)	10,579	Herald	Evening	3,110	UP
Bay City (Texas)	6,594	Tribune	Evening	1,530	UP
Bonham (Texas)	6,349	Favorite	Evening Ex. Sat. Sun. Ed.	2,512 2,512	UP
Breckenridge (Texas)	5,826	American	Evening Ex. Th.-Sat. Sun. Ed.	3,407 3,407	UP
Brenham (Texas)	6,435	Banner-Press	Evening Ex. Sat. Sun. Ed.	3,786 3,786	UP
Brownwood (Texas)	13,398	Bulletin	Evening Ex. Sat. Sun. Ed.	7,704 7,704	UP
[fol. 2376]					
Center (Texas)	3,010	News	Evening Ex. Sat.	Not given	UP
Childress (Texas)	6,464	Index	Evening Ex. Sat. Sun. Ed.	4,601 4,601	UP
Cleburne (Texas)	10,558	Times-Review	Evening Ex. Sat. Sun. Ed.	5,801 5,801	UP
Commerce (Texas)	4,699	Journal	Evening Ex. Sat.	Not given	UP

City	Population	Name of Paper	Morning or Evening	Circulation	News Service Subscribed To
			Sun. Ed.	Not given	
Cuero (Texas)	5,474	Record	Evening		
			Ex. Sat.	1,603	INS
			Wed.-Ed.	2,858	
			Sun. Ed.	1,603	
			376,548 (Met. Dist.)		
Dalhart (Texas)	4,682	Texan	Evening	3,873	None
Eastland (Texas)	3,849	Telegram	Evening		
			Ex. Th.-Sat.	2,751	UP
			Sun. Ed.	2,751	
Ennis (Texas)	7,087	News	Evening	2,383	None
[fol. 2377]					
Gladewater (Texas)	4,454	Times-Tribune	Evening		
			Ex. Sat.	4,201	UP
			Sun. Ed.	4,201	
Gonzales (Texas)	4,722	Inquirer	Evening	1,435	UP
Goose Creek (Texas)	6,929	Sun	Evening	4,484	UP
Graham (Texas)	5,175	Reporter	Evening	1,184	None
Henderson (Texas)	6,437	News	Evening		
			Ex. Sat.	4,369	UP
			Sun. Ed.	4,455	
Kilgore (Texas)	6,708	News-Herald	Evening		
			Ex. Sat.	6,025	UP
			Sun. Ed.	6,025	
Lampasas (Texas)	3,426	Leader	Evening	Not given	None
McKinney (Texas)	8,555	Courier-Gazette	Evening	1,843	None
Mart (Texas)	2,856	Herald	Evening	582	None
Mexia (Texas)	6,410	News	Evenihg		
			Ex. Sat.	4,432	UP
			Sun. Ed.	4,432	
Mineral Wells (Texas)	6,303	Index	Evening		
			Ex. Sat.	2,609	UP
			Sun. Ed.	2,609	

[fol. 2378]

Mount Pleasant (Texas)	4,528	Times	Evening			
			Ex. Sat.	Not given	INS	
			Sun. Ed.	Not given		
Nacogdoches (Texas)	7,538	Sentinel	Evening	1,987	UP	
Navasota (Texas)	6,138	Examiner	Evening	700	None	
Ranger (Texas)	4,553	Times	Evening			
			Ex. Sat.	2,675	UP	
			Sun. Ed.	2,675		
Sah Benito (Texas)	9,501	Light	Evening	4,259	None	
			Ex. Sat.			
Sweetwater (Texas)	10,367	Reporter	Evening			
			Ex. Sat.	5,092	UP	
			Sun. Ed.	5,092		
Taylor (Texas)	7,875	Press	Evening			
			Ex. Sat.	4,217	UP	
			Sun. Ed.	4,217		
Terrell (Texas)	10,481	Tribune	Evening	3,811	UP	
Timpson (Texas)	1,494	Times	Evening	Not given	None	
Victoria (Texas)	11,566	Advocate	Evening			
			Ex. Sat.	2,985	UP	
			Sun. Ed.	2,985		
Waxahatchie (Texas)	8,655	Light	Evening			
			Ex. Sat.	3,311	UP	
			Sun. Ed.	3,311		
Brigham (Utah)	5,641	Box Elder News-Journal	Morning	2,956	UP	
			Ex. Mon.			

[fol. 2379]

Logan (Utah)	11,868	Herald-Journal	Evening	5,158	UP	
Provo (Utah)	18,071	Herald	Evening			
			Ex. Sat.	5,524	UP	
			Sun. Ed.	5,524		
Alexandria (Virginia)	33,523	Gazette	Evening	7,173	UP	
Clifton Forge (Virginia)	6,461	Review	Evening	1,631	UP	
Radford (Virginia)	6,990	Star	Evening	1,100	UP	

City	Population	Name of Paper	Morning or Evening	Circulation	News Service Subscribed To
Anacortes (Washington)	5,875	Mercury	Evening	Not given	UP
Mount Vernon (Washington)	4,278	Herald	Evening	3,353	UP
Keyser (West Virginia)	6,177	Mineral News-Tribune	Evening Ex. Sat.	3,378	None
Weirton (West Virginia) (City Zone)	20,702	Times	Evening	3,548	UP
Wellsburg (West Virginia)	6,255	Herald	Evening	3,198	UP
[fol. 2380]					
Ashland (Wisconsin)	11,101	Press	Evening	4,314	UP
Baraboo (Wisconsin)	6,415	News-Republic	Evening	4,025	UP
Beaver Dam (Wisconsin)	10,356	Citizen	Evening	3,635	UP
Beloit (Wisconsin)	25,365	News	Evening	11,451	UP
Berlin (Wisconsin)	4,247	Journal	Evening	2,833	UP
Menasha (Wisconsin)	10,481	Record	Evening	2,011	None
Merrill (Wisconsin)	8,711	Herald	Evening	4,458	UP
Neenah (Wisconsin)	10,645	News-Times	Evening	2,667	UP
Portage (Wisconsin)	7,016	Register-Democrat	Evening	1,755	UP
River Falls (Wisconsin)	2,806	Sentinel	Evening Ex. Sat.	Not given	None
Stoughton (Wisconsin)	4,743	Courier-Hub	Evening	2,110	UP
Watertown (Wisconsin)	11,301	Times	Evening	5,332	UP
Waukesha (Wisconsin)	19,242	Freeman	Evening	5,375	UP
Rawlins (Wyoming)	5,531	Republican-Bulletin	Morning Ex. Mon.	2,331	UP
Rock Springs (Wyoming)	9,827	Rocket	Morning Ex. Mon.	4,725	UP
		Sunday Minor		Not given	
Worland (Wyoming)	2,710	North Wyo. News	Morning Ex. Mon.	2,654	UP

[fol. 2381] AFFIDAVIT OF ROBERT R. BOOTH

STATE OF NEW YORK,
County of New York, ss:

Robert R. Booth, being duly sworn, deposes and says:

I am the Auditor of The Associated Press. Annexed hereto is a list of the English language daily newspapers which were members of The Associated Press on September 30, 1941, together with the year in which each such paper became a member.

The membership of The Associated Press as of September 30, 1941, shown on the attached list, was compiled from the records of The Associated Press including the records of assessments made upon members as of that date.

The years in which members contained on the list became members were compiled from the records of the Treasurer's office showing the years in which assessments were first paid by such members.

Exhibit 1 annexed hereto was compiled under my supervision and direction from the above-mentioned records and I believe it to be accurate.

Robert R. Booth.

Sworn to before me this 21 day of June, 1943. Michael F. Moran, Notary Public. (Seal.)

[fol. 2382]

EXHIBIT 1

List of English Language Daily Newspapers Which Were Members of the Associated Press on September 30, 1941, and the Year in Which Each Became a Member.

		M (Morning) E (Evening) S (Sudday)			Date Became Subscriber
ALABAMA					
Anniston	Star		E		1929
Anniston	Star			S	1929
Birmingham	Age Herald	M			1900
Birmingham	News		E		1900
Birmingham	News			S	1900
Decatur	Daily		E		1922
Dothan	Eagle		E		1922
Dothan	Eagle			S	1936
Florence	Times		E	S	E 1919 S 1923
Gadsden	Times		E		1906
Gadsden	Times			S	1929
Huntsville	Times		E		1912
Huntsville	Times			S	1919
Mobile	Register	M			1900
Mobile	Press		E		1900
Mobile	Press-Register			S	1900
Montgomery	Advertiser	M			1900
Montgomery	Journal		E		1903
Montgomery	Advertiser			S	1900
Selma	Times Journal		E		1914
Selma	Times Journal			S	1916
Sheffield	Tri-Cities Daily		E		1916
Troy	Messenger		E		1923
Tuscaloosa	News		E		1916
Tuscaloosa	News			S	1916
ALASKA					
Anchorage	Times		E		1916
Cordova	Times		E		1914
Fairbanks	News-Miner		E		1921
Juneau	Empire		E		1917
Ketchikan	Chronicle		E		1919
ARIZONA					
Bisbee	Review	M			1902
Bisbee	Review			S	1902
Douglas	Dispatch	M			1907
Douglas	Dispatch			S	1907
Nogales	Herald		E		1915
Phoenix	Republic	M			1900

[fol. 2383]

		M (Morning) E (Evening) S (Sunday)	Date Became Subscriber
ARIZONA (Cont'd)			
Phoenix	Gazette	E	1905
Phoenix	Republic	M S	1900
Prescott	Courier Journal	M	1934
Prescott	Courier	E	1920
Tucson	Star	M	1900
Tucson	Citizen	E	1900
Tucson	Star	S	1900
ARKANSAS			
Arkadelphia	Siftings Herald	E	1920
Camden	News	E	1925
Conway	Log Cabin Democrat	E	1921
El Dorado	News	M	1921
El Dorado	Times	E	1925
El Dorado	News	S	1921
Fayettesville	N. W. Arkansas Times	E	1927
Fort Smith	So. West American	M	1907
Fort Smith	Times Record	E	1911
Fort Smith	S. W. American	S	1907
Helena	World	E	1911
Helena	East Arkansas Record	S	1918
Hope	Star	E	1920
Hot Springs	Sentinel Record	M	1905
Hot Springs	New Era	E	1917
Hot Springs	Sentinel Record	S	1905
Jonesboro	Sun	E	1915
Little Rock	Arkansas Democrat	E	1900
Little Rock	Arkansas Gazette	M	1900
Little Rock	Arkansas Gazette	S	1900
Magnolia	Banner-News	E	1938
Malvern	Record	E	1937
Paragould	Press	E	1924
Pine Bluff	Commercial	E	1906
Russellville	Courier Democrat	E	1924
Searcy	Citizen	E	1929
Stuttgart	Leader & Arkansanser	E	
Texarkana	Gazette	M	1911
Texarkana	News	E	1911
Texarkana	Gazette	E	1911
CALIFORNIA			
Alhambra	Post-Advocate	E	1924
Bakersfield	Californian	E	1901
Chico	Enterprise	E	1920
Colton	Courier	E	1925
Culver City	Star-News	E	1928
Eureka	Times	M	1900
Eureka	Times	S	1900
Fresno	Bee	E	1900
Fresno	Bee	S	1933
Glendale	News-Press	E	1928
Grass Valley	Union	M	1900
Grass Valley	Union	S	1900
Hollywood	Citizen News	E	1923

[fol. 2384]

		M (Morning) E (Evening) S (Sunday)	Date Became Subscriber
CALIFORNIA (Cont'd)			
Long Beach	Press Telegram	E	1923
Los Angeles	Examiner	M	1900
Los Angeles	Examiner	S	1900
Los Angeles	Herald & Express	E	1900
Los Angeles	Times	M	1900
Los Angeles	Times	S	1900
Lodi	Times	M	1937
Modesto	Bee	M E	M 1906 E 1925
Monrovia	News-Post	E	1923
Monterey	Peninsula Herald	E	1917
Napa	Register	E	1940
Oakland	Tribune	E	1900
Oakland	Tribune	S	1942
Palo Alto	Times	E	1918
Pasadena	Star-News	E	1923
Petaluma	Argus-Courier	E	1938
Pomona	Progress-Bulletin	E	1935
Redding	Record	E	1938
Redding	Searchlight	M	1912
Redding	Searchlight	S	1912
Redondo Beach	Breeze	E	1923
Redwood City	Tribune	E	1923
Riverside	Enterprise	M	1917
Riverside	Press	E	1935
Riverside	Enterprise	S	1917
Sacramento	Bee	E	1900
Sacramento	Union	M	1900
Sacramento	Union	S	1900
San Bernardino	Sun	M	1908
San Bernardino	Telegram	E	1929
San Bernardino	Sun	S	1908
San Diego	Union	M	1900
San Diego	Tribune-Sun	E	1900
San Diego	Union	S	1900
San Jose	Mercury Herald	M	1900
San Jose	News	E	1920
San Jose	Mercury Herald	S	1900
San Francisco	Call-Bulletin	E	1900
San Francisco	Chronicle	M	1900
San Francisco	Chronicle	S	1900
San Francisco	Examiner	M	1900
San Francisco	Examiner	S	1900
San Pedro	News-Pilot	E	1923
Santa Ana	Register	E	1940
Santa Barbara	News-Press	M	1900
Santa Barbara	News-Press	E	1918
Santa Barbara	News-Press	S	1900
Santa Cruz	Sentinel-News	M	1917
Santa Cruz	Sentinel-News	S	1917
Santa Monica	Outlook	E	1923
Santa Rosa	Press-Democrat	M	1917
Santa Rosa	Press-Democrat	S	1917
Stockton	Record	E	1900
Vallejo	Times-Herald	M	1942
Vallejo	Times-Herald	S	1942
Vallejo	News	E	1940
COLORADO			
Boulder	Camera	E	1917

[fol. 2385]

		M (Morning) E (Evening) S (Sunday)	Date Became Subscriber
COLORADO (Cont'd)			
Colorado Springs	Gazette	M	1900
Colorado Springs	Telegraph	E	1900
Colorado Springs	Gazette-Telegraph	S	1900
Denver	Post	E	1901
Denver	Post	S	1914
Denver	Rocky Mountain News	M	1900
Denver	Rocky Mountain News	S	1900
Durango	Herald-Democrat	E S	S & M 1900 Tr. E 1928
Fort Collins	Express-Courier	E	1920
Fort Collins	Express-Courier	S	1923
Fort Morgan	Times	E	1917
Grand Junction	Sentinel	E	1907
Grand Junction	Sentinel	S	1924
Greeley	Tribune	M E	M 1916 E 1918
La Junta	Tribune	E	1939
Leadville	Herald-Democrat	E	1900
Longmont	Times-Call	E	1928
Pueblo	Chieftain	M	1900
Pueblo	Star-Journal	M	1900
Pueblo	Star-Journal & Chief	S	1900
Sterling	Advocate	E	1929
Trinidad	Chronicle-News	E	1900
CONNECTICUT			
Ansonia	Sentinel	E	9100
Bridgeport	Telegram	M	1900
Bridgeport	Post	E	1917
Bridgeport	Post	S	1900
Bristol	Press	E	1916
Danbury	News-Times	E	1900
Hartford	Courant	M	1900
Hartford	Courant	S	1900
Hartford	Times	E	1900
Manchester	Herald	E	1929
Meriden	Journal	E	1919
Meriden	Record	M	1900
New Britain	Herald	E	1900
Newhaven	Journal-Courier	M	1900
Newhaven	Register	E	1900
Newhaven	Register	S	1902
New London	Day	E	1900
Norwalk	Hour	E	1929
Norwich	Bulletin	M	1900
Norwich	Record	E	1900
Stamford	Advocate	E	1929
Torrington	Register	E	1900
Waterbury	Republican	M	1900
Waterbury	American	E	1900
Waterbury	Republican	S	1900
DELAWARE			
Wilmington	News	M	1912
Wilmington	Journal	E	1900

[fol. 2386]

		M (Morning) E (Evening) S (Sunday)	Date Became Subscriber
DISTRICT OF COLUMBIA			
Washington	Post	M	1900
Washington	Post	S	1900
Washington	Star	E	1900
Washington	Star	S	1905
FLORIDA			
Bradenton	Herald	E	1922
Bradenton	Herald	S	1926
Clearwater	Sun	E	1916
Clearwater	Sun	S	1927
Daytona Beach	Journal	M	1936
Daytona Beach	News	E	1925
Daytona Beach	News-Journal	S	1928
Fort Lauderdale	News-Sentinel	E	1924
Fort Myers	News & Press	M	1924
Fort Myers	News & Press	S	1924
Fort Pierce	News-Tribune	E	1925
Fort Pierce	News-Tribune	S	1936
Gainsville	Sun	E	1914
Gainsville	Sun	S	1914
Jacksonville	Union	M	1900
Jacksonville	Union	S	1900
Jacksonville	Journal	E	1904
Key West	Citizen	E	1917
Lakeland	Ledger	E	1925
Lakeland	Ledger	S	1928
Miami	Herald	M	1911
Miami	Herald	S	1911
Miami	Miami News	E	1903
Ocala	Star	E	1915
Orlando	Sentinel	M	1917
Orlando	Reporter-Star	E	1913
Orlando	Sentinel Star	S	1917
Palatka	News	E	1930
Panama City	News-Herald	E	1935
Pensacola	Journal	M	1904
Pensacola	News	E	1926
Pensacola	Journal	S	1904
St. Augustine	Record	E	1916
St. Augustine	Record	S	1929
St. Petersburg	Independent	E	1917
St. Petersburg	Times	M	1914
Sandford	Herald	S	1924
Sarasota	Herald Tribune	E	1930
Sarasota	Herald Tribune	S	1938
Tallahassie	Florida State News	M	1940
Tallahassie	Democrat	E	1931
Tallahassie	News-Democrat	S	1933
Tampa	Times	E	1906
Tampa	Tribune	M	1904
Tampa	Tribune	S	1904
West Palm Beach	Post	M	1916
West Palm Beach	Times	E	1924
West Palm Beach	Post-Times	S	1916
Winter Haven	Chief	E	1924

[fol. 2387]

		M (Morning) E (Evening) S (Sunday)	Date Became Subscriber
GEORGIA			
Albany	Herald	E	1901
Americus	Times-Recorder	E	1936
Athens	Banner Herald	E	1912
Athens	Banner Herald	S	1923
Atlanta	Constitution	M	1900
Atlanta	Constitution	S	1900
Atlanta	Journal	E	1900
Atlanta	Journal	S	1902
Augusta	Chronicle	M	1900
Augusta	Chronicle	S	1900
Augusta	Herald	E	1900
Augusta	Herald	S	1902
Brunswick	News	E S	E 1917 S 1923
Columbus	Enquirer	M	1900
Columbus	Ledger	E	1909
Columbus	Ledger-Enquirer	S	1915
Cordele	Dispatch	E	1917
Griffin	News	E	1919
Macon	Telegraph	M	1900
Macon	News	E	1900
Macon	Telegraph & News	S	1900
Moultrie	Observer	E	1914
Rome	News Tribune	E	1940
Rome	News Tribune	S	1940
Savannah	News	M	1900
Savannah	Press	E	1900
Savannah	News	S	1900
Thomasville	Times Enterprise	E	1910
Tipton	Gazette	E	1921
Valdosta	Times	E	1914
Waycross	Journal Herald	E	1939
HAWAII			
Hilo	Tribune Herald	E	1918
Hilo	Tribune Herald	S	1926
Honolulu	Star Bulletin	E	1903
IDAHO			
Blackfoot	Bulletin	E	1927
Boise	Capital News	E	1901
Boise	Idaho Statesman	M	1900
Boise	Idaho Statesman	S	1900
Caldwell	News Tribune	E	1933
Idaho Falls	Post Register	M	1937
Idaho Falls	Post Register	E	1905
Idaho Falls	Post Register	S	1930
Kellogg	News	E	1924
Lewiston	Tribune	M	1900
Lewiston	Tribune	S	1900
Moscow	Idahonian	E	1918
Nampa	Press Press	E	1937
Pocatello	State Journal	M	1924
Pocatello	Tribune	E	1900
Pocatello	Tribune-Journal	S	1919
Twin Falls	News	M	1919
Twin Falls	Times	E	1942
Twin Falls	News-Times	S	1922
Wallace	Press Times	E	1906

[fol. 2388]

M (Morning)
E (Evening)
S (Sunday)

					Date Became Subscriber
ILLINOIS					
Alton	Telegraph		E		1920
Aurora	Beacon News		E		1904
Aurora	Beacon News			S	1921
Belleville	Advocate		E		1927
Benton	News		E		1933
Bloomington	Pantagraph		E		1900
Bloomington	Pantagraph			S	1909
Cairo	Citizens Bulletin		E		1912
Canton	Ledger		E		1912
Carbondale	Free Press		E		1921
Centralia	Sentinel		E		1923
Champaign-Urbana	Courier		E		1936
Champaign-Urbana	Courier			S	1936
Champaign-Urbana	News Gazette		E		1917
Champaign-Urbana	News Gazette			S	1917
Charleston	News	M			1934
Chicago	Herald American		E		1900
Chicago	Herald American			S	1900
Chicago	News		E		1900
Chicago	Times		E		1900
Chicago	Tribune	M			1900
Chicago	Tribune			S	1900
Danville	Commercial News		E		1902
Danville	Commercial News			S	1900
Decatur	Herald	M			1900
Decatur	Review		E		1900
Decatur	Herald Review			S	1910
Dixon	Telegraph		E		1914
Duquoin	Call		E		1935
Elgin	Courier News		E		1900
Flora	News Record		E		1934
Freeport	Journal Standard		E		1900
Galena	Gazette		E		1900
Galesburg	Register Mail		E		1900
Jacksonville	Journal	M			1900
Jacksonville	Courier		E		1926
Jacksonville	Journal			S	1900
Joliet	Herald News		E		1917
Joliet	Herald News			S	1921
Kankakee	Republican News		E		1917
Kewanee	Star Courier		E		1926
LaSalle	Post Tribune		E		1932
Lincoln	Courier		E		1917
Macomb	Journal		E		1929
Moline	Dispatch		E		1906
Monmouth	Review Atlas		E		1900
Mt. Vernon	Register News		E		1917
Ottawa	Republican Times		E		1935
Peoria	Journal Transcript	M	E	M	1900 E 1900
Peoria	Journal Transcript			S	1914
Peru	News Herald		E		1917
Quincy	Herald Whig		E		1900
Quincy	Herald Whig			S	1900
Rockford	Star	M			1900
Rockford	Register Republic		E		1900
Rockford	Star			S	1900
Moline & Rock Island	Argus Dispatch		E		1900

[fol. 2389]

		M (Morning) E (Evening) S (Sunday)	Became Subscriber
ILLINOIS (Cont'd)			
Springfield	Ill. State Journal	M	1900
Springfield	Ill. State Journal	S	1900
Springfield	Register	E	1900
Streator	Times Press	E	1934
Taylorville	Breeze Courier	E	1920
Waukegan	News Sun	E	1928
Sterling & Rock Falls	Gazette	E	1928
INDIANA			
Anderson	Bulletin	E	1916
Anderson	Herald	M	1916
Anderson	Herald	S	1916
Attica	Ledger Tribune	E	1936
Bedford	Times	E	1929
Bicknell	News	E	1934
Bloomington	World	E	1929
Columbus	Republican	E	1920
Connersville	News Examiner	E	1931
Crawfordsville	Journal & Review	E	1929
Elkhart	Truth	E	1913
Evansville	Courier	M	1900
Evansville	Press	E	1900
Evansville	Courier Press	S	1900
Fort Wayne	Journal Gazette	M	1934
Fort Wayne	Journal Gazette	S	1934
Fort Wayne	New Sentinel	E	1900
Frankfort	Times	M	1917
Frankfort	Times	S	1917
Gary	Post Tribune	E	1930
Indianapolis	News	E	1900
Indianapolis	Star	M	1900
Indianapolis	Star	S	1900
Kokomo	Tribune	M E S	1917
Lafayette	Journal	M S	M 1900 S 1900
Lafayette	Courier	E	1900
Logansport	Press	M	1921
Logansport	Press	S	1921
Madison	Courier	E	1918
Marion	Leader Tribune	M	1903
Marion	Chronicle	E	1930
Marion	Chronicle Tribune	S	1903
Michigan City	News Dispatch	E	1933

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Muncie	Press	E	1931
Muncie	Star	M	1900
Muncie	Star	S	1900
New Castle	Courier Times	E	1928
Richmond	Palladium Item	Daily	Item M 1900 Palladium E 1916
Richmond	Palladium Item	S	1916
Rushville	Telegram	M	1930
Rushville	Republican	S	1928
Seymour	Tribune	E	1929
Shelbyville	Democrat	E	1930
South Bend	Tribune	E	1900
South Bend	Tribune	S	1925
Terre Haute	Star	M	1900

		M (Morning) E (Evening) S (Sunday)	Date Became Subscriber
INDIANA (Cont'd)			
Terre Haute	Tribune	E	1900
Terre Haute	Tribune & Star	S	1900
Vincennes	Sun Commercial	E	1934
Vincennes	Sun Commercial	M	1917
Washington	Herald	E	1918
IOWA			
Boone	News Republican	E	1906
Burlington	Hawk Eye Gazette	E	1900
Carroll	Times Herald	E	1929
Cedar Rapids	Gazette	E	1900
Cedar Rapids	Gazette	S	1927
Centerville	Iowegian & Citizen	E	1925
Charles City	Press	E	1935
Cherokee	Times	E	1928
Clinton	Herald	E	1900
Council Bluffs	Nonpareil	E	1906
Council Bluffs	Nonpareil	S	1927
Creston	News Advertiser	E	1900.
Davenport	Democrat & Leader	E	1900
Davenport	Sunday Democrat	S	1922
Davenport	Times	E	1904

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Des Moines	Register	M	1900
Des Moines	Tribune	E	1908
Des Moines	Register	S	1900
Dubuque	Telegraph Herald	E	1900
Dubuque	Telegraph Herald	S	1900
Estherville	News	E	1930
Fort Dodge	Messenger Chronicle	E	1900
Iowa City	Iowan	M	1923
Iowa City	Iowan	S	1923
Iowa City	Press Citizen	E	1913
Marshalltown	Times Republican	E	1900
Mason City	Globe Gazette	E	1908
Missouri Valley	Times	E	1931
Muscatine	Journal & News-Tribune	E	1903
Newton	News	E	1917
Ottumwa	Courier	E	1900
Perry	Chief	E	1921
Sioux City	Journal	M	1900
Sioux City	Journal Tribune	E	1900
Sioux City	Journal	S	1900
Spencer	Reporter	E	1938
Waterloo	Courier	E	1900
Waterloo	Courier	S	1905
Webster City	Freeman-Journal	E	1918
KANSAS			
Abilene	Reflector	E	1918
Arkansas City	Traveler	E	1901
Atchison	Globe	E	1901
Beloit	Call	E	1935
Chanute	Tribune	E	1904
Cherryvale	Republican	E	1906
Clay Center	Dispatch	E	1906
Coffeyville	Journal	E	1903
Concordia	Blade Empire	E	1919
Dodge City	Globe	E	1916

		M (Morning) E (Evening) S (Sunday)	Date Became Subscriber
KANSAS (Cont'd)			
El Dorado	Times	E	1916
Emporia	Gazette	E	1903
Fort Scott	Tribune Monitor	E	1901
Frankfort	Index	E	1935
Fredonia	Herald	E	1917
Garden City	Telegram	E	1929
Great Bend	Tribune	E	1915
Hays	News	E	1929
Independence	Reporter	E	1904
Hutchinson	Herald	M	1919
Hutchinson	News	E	1901
Hutchinson	News-Herald	S	1919
Iola	Register	E	1903
Junction City	Union	E	1912
Lawrence	Journal World	E	1901
Leavenworth	Times	E	1900
Leavenworth	Times	S	1923
Lyons	News	E	1916
McPherson	Republican	E	1927
Manhattan	Chronicle	M	1924
Manhattan	Mercury	E	1909
[fol. 2392]			
Manhattan	Chronicle	S	1924
Neodesha	Sun	E	1919
Newton	Kansas Republican	E	1906
Norton	Telegram	E	1927
Ottawa	Herald	E	1903
Parsons	Sun	E	1903
Pittsburg	Sun	M	1917
Pittsburg	Headlight	E	1904
Pittsburg	Sun	S	1917
Pratt	Tribune	E	1927
Salina	Journal	E	1903
Topeka	Capital	M	1900
Topeka	State Journal	E	1900
Topeka	Capital	S	1900
Wellington	News	E	1917
Wichita	Beacon	E	1900
Wichita	Eagle	M	1900
Wichita	Eagle	S	1900
Winfield	Courier	E	1925
KENTUCKY			
Ashland	Independent	E	1925
Ashland	Independent	S	1923
Bowling Green	Park City News	E	1912
Bowling Green	Park City News	S	1935
Corbin	Tribune	E	1934
Corbin	Times	S	1935
Danville	Advocate Messenger	E	1917
Frankfort	State Journal	M	1905
Frankfort	State Journal	S	1905
Fulton	Leader	E	1938
Harlan	Enterprise	E	1928
Harlan	Enterprise	S	1929
Hazard	Herald	E	1939
Henderson	Gleaner	M	1904
Henderson	Journal	E	1912
Henderson	Gleaner & Journal	S	1904

		M (Morning) E (Evening) S (Sunday)	Date Became Subscriber
KENTUCKY (Cont'd)			
Hopkinsville	Kentucky New Era	E	1912
Lexington	Herald	M	1900
Lexington	Leader	E	1900
Lexington	Herald Leader	S	1900
Louisville	Courier Journal	M	1900
Louisville	Times	E	1900
Louisville	Courier Journal	S	1900
Madisonville	Messenger	E	1918
Mayfield	Messenger	E	1923
Maysville	Independent	M	1917
Owensboro	Messenger	M	1900
Owensboro	Enquirer	E	1913
Owensboro	Messenger Enquirer	S	1900
Paducah	Sun Democrat	E	1912
Paducah	Sun Democrat	S	1901
Richmond	Register	E	1917
Winchester	Sun	E	1920
[fol. 2393]			
LOUISIANA			
Alexandria	Town Talk	E	1905
Baton Rouge	Advocate	M	1926
Baton Rouge	State Times	E	1904
Baton Rouge	Advocate	S	1926
Crowley	Signal	E	1919
Lafayette	Advertiser	E	1924
Lake Charles	American Press	E	1900
Monroe	World	M	1929
Monroe	News Star	E	1904
Monroe	World News Star	S	1929
New Orleans	Item	E	1900
New Orleans	Times Picayune	M	1900
New Orleans	States	E	1900
New Orleans	Times Picayune States	S	1900
Shreveport	Journal	E	1901
Shreveport	Times	M	1900
Shreveport	Times	S	1900
MAINE			
Augusta	Kennebec Journal	M	1900
Bangor	Commercial	E	1900
Bangor	News	M	1900
Bath	Times	E	1900
Biddeford	Journal	E	1900
Lewiston-Auburn	Sun	M	1900
Lewiston-Auburn	Journal	E	1900
Portland	Press Herald	M	1900
Portland	Evening Express	E	1900
Portland	Sunday Telegram	S	1900
Waterville	Sentinel	M	1904
MARYLAND			
Annapolis	Capital	E	1918
Baltimore	News Post	E	1900
Baltimore	Sunday American	S	1900
Baltimore	Sun	M	1900
Baltimore	Sun	E	1928
Baltimore	Sun	S	1900
Cambridge	Banner	E	1925

		M (Morning) E (Evening) S (Sunday)	Date Became Subscriber
MARYLAND (Cont'd)			
Cumberland	News	M	1918
Cumberland	Times	E	1912
Cumberland	Sunday Times	S	1928
Frederick	Post	M	1923
Frederick	News	E	1919
Hagerstown	Herald	M	1918
Hagerstown	Mail	E	1925
Salisbury	Times	E	1923
MASSACHUSETTS			
Athol	News	E	1934
Attelboro	Sun	E	1923
Boston	Monitor	E	1909
[fol. 2394]			
Boston	News Bureau	M	1909
Boston	Globe	M	1900
Boston	Globe	E	1900
Boston	Globe	S	1900
Boston	Herald	M	1900
Boston	Traveler	E	1900
Boston	Herald	S	1900
Boston	Post	M	1900
Boston	Post	S	1900
Boston	Record	M	1900
Boston	American	E	1900
Boston	Sunday Advertiser	S	1929
Brockton	Enterprise & Times	E	1900
Fall River	Herald News	E	1900
Fitchburg	Sentinel	E	1900
Gardner	News	E	1917
Greenfield	Recorder Gazette	E	1919
Haverhill	Gazette	E	1900
Lawrence	Eagle	M	1913
Lawrence	Tribune	E	1926
Leominster	Enterprise	E	1919
Lowell	Leader	E	1900
Lynn	Item	E	1900
New Bedford	Standard Times	E	1900
New Bedford	Standard Times	S	1907
New Bedford	Mercury	M	1900
North Adams	Transcript	E	1900
Northampton	Hampshire Gazette	E	1919
Norwood	Messenger	E	1937
Pittsfield	Berkshire Eagle	E	1900
Salem	News	E	1918
Springfield	Republican	M	1900
Springfield	Union	M	1901
Springfield	Union	E	1900
Springfield	Union & Republican	S	1900
Taunton	Gazette	E	1920
Waltham	News Tribune	E	1927
Worcester	Telegram	M	1900
Worcester	Gazette	E	1900
Worcester	Telegram	S	1900
MICHIGAN			
Adrian	Telegram	E	1905
Ann Arbor	News	E	1910
Battle Creek	Enquirer & News	E	1917

		M (Morning) E (Evening) S (Sunday)		Date Became Subscriber
MICHIGAN (Cont'd)				
Battle Creek	Enquirer & News		S	1919
Bay City	Times	E		1900
Bay City	Times		S	1923
Benton Harbor	News & Palladium	E		1907
Calumet	News Journal	E		1902
Detroit	Free Press	M		1900
Detroit	Free Press		S	1900
Detroit	News	E		1900
Detroit	News		S	1900
[fol. 2395]				
Escanaba	Press	M		1919
Escanaba	Press		S	1919
Flint	Journal	E		1904
Flint	Journal		S	1922
Grand Haven	Tribune	E		1928
Grand Rapids	Herald	M		1900
Grand Rapids	Herald		S	1900
Grand Rapids	Press	E		1900
Hillsdale	News	E		1916
Houghton	Mining Gazette	M		1900
Houghton	Mining Gazette		S	1900
Ionia	Sentinel Standard	E		1919
Iron Mountain	News	E		1921
Ironwood	Globe	E		1919
Jackson	Citizen Patriot	E		1900
Jackson	Citizen Patriot		S	1919
Kalamazoo	Gazette	E		1917
Kalamazoo	Gazette		S	1917
Lansing	State Journal	E		1905
Lansing	State Journal		S	1936
Ludington	News	E		1920
Marquette	Mining Journal	M		1900
Menominee	Herald Leader	E		1904
Monroe	News	E		1920
Muskegon	Chronicle	E		1907
Niles	Star	E		1927
Owosso	Argus Press	E		1909
Pontiac	Press	E		1909
Port Huron	Times Herald	E		1909
Port Huron	Times Herald		S	1936
Saginaw	News	E		1900
Saginaw	News		S	1900
St. Joseph	Herald Press	E		1931
Sault Ste. Marie	News	E		1901
Ypsilanti	Press	E		1926
MINNESOTA				
Albert Lea	Tribune	E		1919
Austin	Herald	E		1920
Bemidji	Pioneer	E		1927
Crookston	Times	E		1904
Duluth	News Tribune	M		1900
Duluth	Herald	E		1900
Duluth	News Tribune		S	1900
Fairmont	Sentinel	E		1917

[fol. 2396]

		M (Morning) E (Evening) S (Sunday)	Date Became Subscriber
MINNESOTA (Cont'd)			
Faribault	News	E	1933
Fergus Falls	Journal	E	1926
Hibbing	Tribune	E	1913
International Falls	Journal	E	1938
Little Falls	Transcript	E	1926
Mankato	Free Press	E	1913
Marshall	Messenger	E	1932
Minneapolis	Tribune	M	1900
Minneapolis	Star Journal	E	1900
Minneapolis	Star Journal	S	1900
Minneapolis	Times	E	1900
New Ulm	Journal	E	1937
Owatonna	Peoples Press	M	1921
Owatonna	Peoples Press	S	1921
Red Wing	Republican Eagle	E	1917
Rochester	Post Bulletin	E	1914
St. Cloud	Times	E	1916
St. Paul	Pioneer Press	M	1900
St. Paul	Dispatch	E	1900
St. Paul	Pioneer Press	S	1900
Virginia	Enterprise	E	1914
Wilmar	Tribune	E	1928
Winona	Republican Herald	E	1900
Worthington	Globe	E	1936
MISSISSIPPI			
Biloxi-Gulfport	Herald	E	1917
Clarksdale	Register	E	1918
Columbus	Commercial Dispatch	E	1926
Columbus	Commercial Dispatch	S	1926
Corinth	Corinthian	E	1936
Greenville	Delta Democrat Times	E	1906
Greenwood	Commonwealth	E	1916
Hattiesburg	American	E	1907
Jackson	Clarion Ledger	M	1905
Jackson	Clarion Ledger	S	1905
Jackson	News	E	1901
Laurel	Leader Call	E	1912
Meridian	Star	E	1903
Meridian	Star	S	1923
Natchez	Democrat	M	1918
Natchez	Democrat	S	1916
Tupelo	News	E	1929
Vicksburg	Herald	M	1900
Vicksburg	Post	E	1927

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Vicksburg	Post Herald	S	1900
West Point	Times Leader	E	1929
McComb	Enterprise	E	1933
MISSOURI			
Boonville	News	E	1933
Cape Girardeau	Southeast Missourian	E	1923
Carrollton	Democrat	E	1935
Carthage	Press	E	1906
Chillicothe	Constitution Tribune	E	1938
Columbia	Tribune	E	1921
Fulton	Sun Gazette	E	1927

		M (Morning) E (Evening) S (Sunday)	Date Became Subscriber
MISSOURI (Cont'd)			
Hannibal	Courier Post	E	1907
Jefferson City	Capital News	M	1915
Jefferson City	Post Tribune	E	1919
Jefferson City	Tribune	S	1918
Joplin	Globe	M	1900
Joplin	News Herald	E	1900
Joplin	Globe	S	1900
Kansas City	Times	M	1900
Kansas City	Star	E	1900
Kansas City	Sunday Star	S	1900
Lamar	Republican	E	1938
Lebanon	News	E	1935
Macon	Chronicle Herald	E	1938
Marshall	Democrat News	E	1927
Maryville	Forum	E	1931
Moberly	Monitor Index	E	1917
Moneh	Times	E	1939
Nevada	Mail & Post	E	1933
Poplar Bluffs	American Republican	E	1928
St. Joseph	Gazette	M	1900
St. Joseph	News Press	E	1900
St. Joseph	News Press	S	1900
St. Louis	Globe Democrat	M	1900
St. Louis	Globe Democrat	S	1900
St. Louis	Post Dispatch	E	1900
St. Louis	Post Dispatch	S	1900
Sedalia	Capital	M	1920
Sedalia	Democrat	E	1904
Sedalia	Capital Democrat	S	1912
Springfield	News	M	1900
Springfield	Leader & Press	E	1900
Springfield	News & Leader	S	1900
Trenton	Republican Times	E	1904
Mexico	News Intelligencer	E	1920
[fol. 2398]			
MONTANA			
Billings	Gazette	M	1905
Billings	Gazette	E	1912
Billings	Gazette	S	1905
Bozeman	Chronicle	M	1911
Bozeman	Chronicle	S	1911
Butte	Montana Standard	M	1900
Butte	Montana Post	E	1900
Butte	Montana Standard	S	1900
Great Falls	Tribune	M	1900
Great Falls	Leader	E	1900
Great Falls	Tribune	S	1900
Helena	Independent	M	1900
Helena	Independent	S	1900
Helena	Record Herald	E	1900
Kalispell	Inter Lake	E	1908
Lewistown	Democrat News	M	1914
Lewistown	Telegram	E	1933
Lewistown	Democrat News	S	1914
Livingston	Enterprise	M	1914
Livingston	Enterprise	S	1916
Miles City	Star	E	1913
Miles City	Star	S	1913
Missoula	Missoulian	M	1900
Missoula	Sentinel	E	1912
Missoula	Missoulian	S	1900

		M (Morning) E (Evening) S (Sunday)	Date Became Subscriber
NEBRASKA			
Beatrice	Sun	E	1913
Freemont	Guide	M	1938
Grand Island	Independent	E	1904
Hastings	Tribune	E	1935
Lincoln	Journal	M	1900
Lincoln	Journal	E	1932
Lincoln	Journal & Star	S	1900
Lincoln	Star	E	1902
Norfolk	News	E	1927
North Platte	Telegraph	E	1920
Omaha	World Herald	M	1900
Omaha	World Herald	E	1900
Omaha	World Herald	S	1900
Scottsbluff	Star Herald	M	1926
Scottsbluff	Star Herald	S	1926
NEVADA			
Reno	Gazette	E	1900
NEW HAMPSHIRE			
Claremont	Eagle	E	1926
Concord	Monitor & New	E	1900
Dover	Fosters Democrat	E	1900
Keane	Sentinel	E	1900
Laconia	Citizen	E	1927
Manchester	Union	M	1900
Manchester	Leader	E	1900
[fol. 2399]			
Nassau	Telegraph	E	1905
Portsmouth	Herald	E	1917
NEW JERSEY			
Asbury Park	Press	E	1917
Asbury Park	Shore Press	S	1917
Atlantic City	Press	M	1918
Atlantic City	Union	E	1919
Atlantic City	Sunday Press	S	1925
Bridgston	News	E	1929
Elizabeth	Journal	E	1920
Hackensack	Bergan Evening Record	E	1923
Jersey City	Jersey Journal	E	1918
Lakewood	Times	E	1928
Long Branch	Record	E	1920
Millville	Republican	E	1928
Morristown	Record	E	1933
Newark	Call	S	1900
Newark	News	E	1900
Newark	Star Ledger	M	1917
Newark	Star Ledger	S	1917
New Brunswick	Home News	E	1918
New Brunswick	Sunday Times	S	1918
Passaic	Herald News	E	1917
Paterson	Call	M	1917
Paterson	News	E	1930
Perth Amboy	News	E	1918
Plainfield	Courier News	E	1932
Trenton	State Gazette	M	1912
Trenton	Times	E	1919
Trenton	Times Advertiser	S	1912
Union City	Hudson Dispatch	M	1920
Vineland	Journal	E	1928

NEW MEXICO		M (Morning) E (Evening) S (Sunday)	Date Became Subscriber
Albuquerque	Journal	M	1900
Albuquerque	Journal	S	1900
Albuquerque	Tribune	E	1900
Carlsbad	Current Argus	E	1929
Carlsbad	Current Argus	S	1934
Clovis	News Journal	E	1929
Clovis	News Journal	S	1938
Gallup	Independent	E	1936
Hobbs	News & Sun	E	1936
Hobbs	News & Sun	S	1937
Las Cruses	Sun News	E	1934
Las Cruses	Sun News	S	1939
Las Vegas	Optic	E	1900
Raton	Range	E	1931
Roswell	Dispatch	M	1929
Roswell	Dispatch	S	1929
Roswell	Record	E	1920
Santa Fe	New Mexican	E	1900
Silver City	Press & Independent	E	1935
Tucumcari	News	E	1935

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NEW YORK			
Albany	Knickerbocker News	E	1900
Albany	Times Union	M	1937
Albany	Times Union	S	1937
Amsterdam	Democrat	E	1900
Auburn	Citizen Advertiser	E	1900
Batavia	News	E	1900
Binghampton	Press	E	1900
Binghampton	Sun	M	1900
Buffalo	Courier Express	M	1900
Buffalo	Courier Express	S	1900
Buffalo	News	E	1900
Canandaigua	Messenger	E	1927
Corning	Leader	E	1902
Cortland	Standard	E	1907
Elmira	Star Gazette	E	1903
Elmira	Advertiser	M	1900
Elmira	Sunday Telegram	S	1900
Geneva	Times	E	1927
Glens Falls	Post Star	M	1905
Glens Falls	Times	E	1928
Johnstown	Herald	M	1902
Johnstown	Leader Republican	E	1906
Hornell	Tribune	E	1900
Hudson	Register	E	1900
Ithaca	Journal	E	1900
Jamestown	Journal	E	1900
Kingston	Freeman	E	1926
Little Falls	Times	E	1927
Lockport	Union, Sun & Journal	E	1925
Malone	Telegram	E	1910
Marmaroneck	Times	E	1932
Mount Vernon	Argus	E	1932
New Rochelle	Standard Star	E	1932
New York City	Herald Tribune	M	1900
New York City	Herald Tribune	S	1900
New York City	Journal American	E	1900
New York City	Journal American	S	1900

		M (Morning) E (Evening) S (Sunday)	Date Became Subscriber
NEW YORK (Cont'd)			
New York City	Mirror	M	1937
New York City	Mirror	S	1944
New York City	News	M	1927
New York City	News	S	1927
New York City	Post	E	1900
New York City	Sun	E	1900
New York City	Times	M	1900
New York City	Times	S	1900
New York City	World Telegram	E	1900
Niagara Falls	Gazette	E	1920
Norwich	Sun	E	1920
Ogdensburg	Journal	E	1916
Oneonta	Star	M	1907
Ossining	Citizen Register	E	1932
Oswego	Palladium Times	E	1922
Peekskill	Star	E	1934
Plattsburgh	Press	M	1917
Port Chester	Item	E	1932
[fol. 2401]			
Port Jervis	Union Gazette	E	1900
Poughkeepsie	Eagle News	M	1900
Poughkeepsie	New Yorker	E	1908
Rochester	Democrat & Chronicle	M	1900
Rochester	Times Union	E	1928
Rochester	Democrat & Chronicle	S	1900
Rome	Sentinel	E	1900
Salamanca	Republican Press	E	1918
Saranac Lake	Adirondack Enterprise	E	1924
Saratoga Springs	Saratogian	E	1918
Schenectady	Gazette	M	1900
Schenectady	Union Star	E	1924
Syracuse	Herald Journal	E	1900
Syracuse	Herald American	S	1902
Syracuse	Post Standard	M	1900
Syracuse	Post Standard	S	1900
Tarrytown	News	E	1932
Troy	Record	M	1900
Troy	Times Record	E	1902
Utica	Observer Dispatch	E	1900
Utica	Observer Dispatch	S	1900
Utica	Press	M	1900
Watertown	Times	E	1900
Wellsville	Reporter	E	1904
White Plains	Reporter Dispatch	E	1934
Yonkers	Herald Statesman	E	1926
NORTH CAROLINA			
Asheville	Citizen	M	1900
Asheville	Times	E	1907
Asheville	Citizen Times	S	1900
Burlington	Times-News	E	1935
Charlotte	News	E	1903
Charlotte	Observer	M	1900
Charlotte	Observer	S	1900
Concord	Tribune	M	1914
Concord	Tribune	S	1938
Durham	Herald	M	1919
Durham	Sun	E	1928
Durham	Herald Sun	S	1919
Elizabeth City	Advance	E	1918

		M (Morning) E (Evening) S (Sunday)	Date Became Subscriber
NORTH CAROLINA (cont'd)			
Fayettesville	Observer	E	1914
Gastonia	Gazette	E	1933
Goldsboro	News Argus	E	1917
Greensboro	News	M	1909
Greensboro	Record	E	1914
Greensboro	News	S	1909
Greenville	Reflector	E	1927
Henderson	Dispatch	E	1914
Hickory	Record	E	1915
High Point	Enterprise	E	1915
High Point	Enterprise	S	1923
Kannapolis	Independent	M	1937
Kannapolis	Independent	S	1937
Lumberton	Robesonian	E	1928
Morehead	Twin City Times	E	1939
[fol. 2402]			
New Bern	Sun Journal	E	1914
Raleigh	News & Observer	M	1900
Raleigh	News & Observer	S	1900
Raleigh	Times	E	1905
Rocky Mount	Telegram	E	1914
Salisbury	Post	E	1914
Salisbury	Post	S	1924
Shelby	Star	E	1935
Statesville	Daily	E	1920
Tarboro	Southerner	E	1920
Washington	News	E	1919
Wilmington	Star	M	1900
Wilmington	News	E	1923
Wilmington	Star News	S	1900
Wilson	Times	E	1914
Winston Salem	Journal	M	1935
Winston Salem	Twin City Sentinel	E	1911
Winston Salem	Journal Sentinel	S	1935
Pinehurst	Qutlook	M	1939
Pinehurst	Outlook	S	1939
NORTH DAKOTA			
Bismarck	Tribune	E	1906
Devils Lake	Journal	E	1924
Fargo	Forum	M	1906
Fargo	Forum	E	1900
Grand Forks	Herald	S	1906
Grand Forks	Herald	M	1900
Grand Forks	Herald	E	1906
Jamestown	Sun	S	1900
Mendan	Pioneer	E	1925
Minot	News & Optic Reporter	E	1917
Valley City	Times Record		1914
Williston	Herald	E	1927
		E	1934
OHIO			
Akron	Beacon Journal	E	1900
Akron	Beacon Journal	S	1938
Alliance	Review	E	1918
Athens	Messenger	E	1940
Canton	Repository	E	1900
Canton	Repository	S	1901

		M (Morning) E (Evening) S (Sunday)	Date Became Subscriber
OHIO (cont'd)			
Chillicothe	Gazette	E	1900
Cincinnati	Enquirer	M	1900
Cincinnati	Enquirer	S	1900
Cincinnati	Times Star	E	1900
Cleveland	News	E	1900
Cleveland	Plain Dealer	M	1900
Cleveland	Plain Dealer	S	1900
Columbus	Dispatch	E	1900
Columbus	Dispatch	S	1900
Columbus	Ohio State Journal	M	1900
Columbus	Star	S wkly. Sat.	1900
Dayton	Journal	M	1900
Dayton	Journal Herald	S	1900
Dayton	News	E	1900
[fol. 2403]			
E. Liverpool	Review	E	1911
Findlay	Republican Courier	M	1990
Gallipolis	Tribune	E	1935
Hamilton	Journal News	E	1900
Ironton	Tribune	E	1916
Ironton	Tribune	S	1916
Lancaster	Eagle Gazette	E	1923
Lima	News	E	1918
Lima	News	S	1923
Logan	News	E	1935
Lorain	Journal & Times Herald	E	1928
Mansfield	News Journal	E	1930
Mansfield	News Journal	S	1939
Marion	Star	E	1930
Massilon	Independent	E	1900
Middletown	Journal	E	1916
Middletown	Sunday News Journal	S	1937
Mt. Vernon	News	E	1938
Newark	Advocate	E	1911
Portsmouth	Times	E	1900
Portsmouth	Times	S	1930
Salem	News	E	1914
Sandusky	Register Star News	M	1900
Sandusky	Register Star News	E	1935
Springfield	Sun	M	1900
Springfield	News	E	1905
Springfield	News Sun	S	1909
Steubenville	Herald Star	E	1912
Toledo	Blade	E	1900
Toledo	Times	M	1900
Toledo	Times	S	1900
Upper Sandusky	Chief Union	E	1916
Van Wert	Times Bulletin	E	1940
Warren	Tribune Chronicle	E	1918
Washington C. H.	Record Herald	E	1913
Wilmington	News Journal	E	1917
Youngstown	Vindicator & Telegram	E	1900
Youngstown	Vindicator & Telegram	S	1902
Zanesville	Times Recorder	M	1900
Zanesville	Signal	E	1936
Zanesville	Sunday Times Signal	S	1900

		M (Morning) E (Evening) S (Sunday)	Date Became Subscriber
OKLAHOMA			
Ada	News	E	1918
Ada	News	S	1934
Ardmore	Ardmoreite	E	1905
Ardmore	Ardmoreite	S	1927

[fol. 2404]

		M (Morning) E (Evening) S (Sunday)	Date Became Subscriber
OKLAHOMA (cont'd)			
Bartlesville	Examiner	M	1915
Bartlesville	Enterprise	E	1905
Bartlesville	Examiner-Enterprise	S	1915
Blackwell	Journal Tribune	E	1934
Bristow	Record	E	1922
Chickasha	Express	E	1925
Chickasha	Express	S	1929
El Reno	Tribune	E	1930
El Reno	Tribune	S	1934
Enid	News	M	1923
Enid	Eagle	E	1914
Enid	News	S	1923
Guthrie	Leader	E	1901
Guthrie	Leader	S	1925
Lawton	Press	M	1935
Lawton	Press	S	1935
McAlester	News Capital	E	1905
Miami	News Record	E	1917
Miami	News Record	S	1917
Muskogee	Phoenix	M	1904
Muskogee	Times Democrat	E	1904
Muskogee	Phoenix	S	1904
Nowata	Star	E	1934
Nowata	Star	S	1934
Oklahoma City	Oklahoman	M	1901
Oklahoma City	Times	E	1901
Oklahoma City	Oklahoman	S	1901
Okmulgee	Times	M	1919
Okmulgee	Times	S	1919
Pauls Valley	Democrat	E	1934
Ponca City	News	E	1921
Ponca City	News	S	1926
Seminole	Producer	E	1934
Seminole	Producer	S	1936
Shawnee	News	M	1912
Shawnee	Star	E	1930
Shawnee	News	S	1918
Stillwater	News Press	E	1940
Stillwater	News Press	S	1940
Tulsa	World	M	1906
Tulsa	Tribune	E	1906
Tulsa	World	S	1906
OREGON			
Baker	Democrat Herald	E	1925
Corvalis	Gazette Times	E	1917
Eugene	Register Guard	E	1924
Eugene	Register Guard	S	1902
Grants Pass	Courier	E	1917
Grants Pass	Courier	S	1917

[fol. 2405]

		M (Morning) E (Evening) S (Sunday)	Date Became Subscriber
OREGON (Cont'd)			
Klamath Falls	News	M	1917
Klamath Falls	Herald	E	1917
Medford	Mail Tribune	E	1914
Medford	Mail Tribune	S	1931
Pendleton	East Oregonian	E	1920
Portland	Oregonian	M	1900
Portland	Oregonian	S	1900
Portland	Oregon Journal	E	1900
Roseberg	News Review	E	1917
Salem	Capital Journal	E	1927
Salem	Oregon Statesman	M	1900
PENNSYLVANIA			
Allentown	Call	M	1906
Allentown	Chronicle	E	1906
Allentown	Call Chronicle	S	1906
Altoona	Tribune	M	1900
Bangor	News	E	1939
Beaver Falls & New Brighton	News Tribune	E	1930
Bethlehem	Globe Times	E	1900
Bloomsburg	Press	M	1922
Bradford	Era	M	1912
Chambersburg	Public Opinion	E	1918
Clearfield	Progress	E	1933
Coatesville	Record	E	1919
Corry	Journal	E	1940
Donora	Herald American	E	1928
Easton	Express	E	1900
Easton	Free Press	M	1938
Ellwood City	Ledger	E	1934
Erie	Dispatch Herald	E	1920
Erie	Dispatch Herald	S	1923
Gettysburg	Times	E	1919
Greensburg	Review	M	1921
Greenville	Record Argus	E	1926
Hanover	Sun	E	1918
Harrisburg	Patriot	M	1900
Harrisburg	Telegraph	E	1900
Hazelton	Standard Sentinel	M	1912
Hazelton	Plain Speaker	E	1927
Indiana	Gazette	E	1935
Johnstown	Democrat	M	1900
Johnstown	Tribune	E	1900
Kane	Republican	E	1941
Lancaster	Intelligencer-Journal	M	1900
Lancaster	New Era	E	1900
Lancaster	Sunday News	S	1900
Lansford	Record	E	1926
Lebanon	News & Times	E	1926
Lehighton	Leader	E	1934
Lockhaven	Express	E	1921
Mauch Chunk	Times News	E	1934
Meadville	Tribune Republican	M	1914
Meadville	Republican	E	1921
Oil City	Derrick	M	1900

[fol. 2406]

		M (Morning) E (Evening) S (Sunday)			Date Became Subscriber
PENNSYLVANIA (Cont'd)					
Philadelphia	Bulletin		E		1900
Philadelphia	Inquirer	M			1900
Philadelphia	Inquirer			S	1900
Philadelphia	Record	M			1900
Philadelphia	Record			S	1900
Phoenixville	Republican		E		1927
Pittsburg	Post Gazette	M			1900
Pittsburg	Sun Telegraph		E		1900
Pittsburg	Sun Telegraph			S	1927
Pottstown	Mercury	M			1933
Pottsville	Republican		E		1900
Reading	Times	M			1904
Reading	Eagle		E		1900
Reading	Eagle			S	1900
St. Marys	Press		E		1940
Sayre	Times		E		1937
Scranton	Times		E		1924
Scranton	Tribune	M			1900
Somerset	American	M			1929
Stroudsburg	Record	M			1934
Sunbury	Daily Item		E		1926
Titusville	Herald	M			1900
Towanda	Review	M			1919
Uniontown	Herald	M			1913
Warren	Times Mirror		E		1926
Washington	Observer	M			1918
Waynesboro	Record Herald		E		1936
Waynesburg	Democrat Messenger	M			1936
Wilkes Barre	Record	M			1900
Wilkes Barre	Times, Leader, News		E		1927
Williamsport	Gazette & Bulletin	M			1900
Williamsport	Sun		E		1917
York	Dispatch		E		1900
York	Gazette & Daily	M			1900
Williamsport	Grit			S	1900
RHODE ISLAND					
Newport	Herald	M			1916
Newport	News		E		1900
Pawtucket	Times		E		1900
Providence	Bulletin		E		1900
Providence	Journal	M			1900
Providence	Journal			S	1900
Westerly	Sun		E		1900
Woonsocket	Call		E		1900
SOUTH CAROLINA					
Anderson	Independent Tribune	M			1919
Anderson	Independent Tribune			S	1919
Anderson	Mail		E		1911
Charleston	News & Courier	M			1900
Charleston	News & Courier			S	1900
Charleston	Post		E		1900
Columbia	Record		E		1909

[fol. 2407]

			M (Morning) E (Evening) S (Sunday)			Date Became Subscriber
SOUTH CAROLINA (Cont'd)						
Columbia	State		M			1900
Columbia	State				S	1900
Florence	News		M			1923
Florence	News				S	1923
Greenville	News		M			1904
Greenville	News				S	1904
Greenville	Piedmont			E		1910
Orangeburg	Times & Democrat		M			1935
Rock Hill	Herald			E		1922
Spartanburg	Herald		M			1905
Spartanburg	Journal			E		1906
Spartanburg	Herald Journal				S	1905
Sumter	Item			E		1917
Union	Times			E		1917
Greenwood	Index Journal			E		1917
SOUTH DAKOTA						
Aberdeen	American News		M			1906
Aberdeen	American News			E		1917
Aberdeen	American News				S	1900
Deadwood	Pioneer Times		M			1904
Deadwood	Pioneer Times				S	1904
Hot Springs	Star			E		1928
Huron	Huronite			E		1917
Lead	Call			E		1913
Madison	Leader			E		1916
Mitchell	Republic			E		1912
Pierre	Capital Journal			E		1923
Rapid City	Journal			E		1922
Sioux Falls	Argus Leader			E		1900
Sioux Falls	Argus Leader				S	1928
Watertown	Public Opinion			E		1908
Yankton	Press & Dakotan			E		1917
TENNESSEE						
Bristol	Herald Courier		M			1903
Bristol	Herald Courier				S	1903
Bristol	News Bulletin			E		1925
Chattanooga	Times		M			1900
Chattanooga	Times			E		1940
Chattanooga	Times				S	1900
Chattanooga	News Free Press			E		1900
Clarksville	Leaf Chronicle			E		1917
Dyersburg	State Gazette			E		1928
Elizabethton	Star			E	S	E 1928 S 1935
Greensville	Sun			E		1923
Jackson	Sun			E		1912
Jackson	Sun				S	1918
Johnson City	Chronicle		M			1934
Johnson City	Press			E		1934
Johnson City	Press Chronicle				S	1934
Kingsport	Times			E		1924
Kingsport	Times				S	1924
Knoxville	Journal		M			1900

		M (Morning) E (Evening) S (Sunday)	Date Became Subscriber
TENNESSEE (Cont'd)			
Knoxville	Journal	S	1900
Knoxville	News & Sentinel	E	1931
Memphis	Commercial Appeal	M	1900
Memphis	Commercial Appeal	S	1900
Memphis	Press Scimitar	E	1926
Morristown	Gazette & Mail	E	1927
Murfreesboro	News Journal	E	1938
Nashville	Tennessean	S	1939
Nashville	Banner	M	1900
Nashville	Tennessean	E	1900
Paris	Post Intelligencer	S	1900
Union City	Messenger	E	1930
		E	1939
TEXAS			
Abilene	Reporter News	M	1915
Abilene	Reporter News	E	1907
Abilene	Reporter News	S	1915
Amarillo	News	M	1909
Amarillo	Globe	E	1924
Amarillo	News & Globe	S	1909
Athens	Review	E	1937
Austin	American	M	1918
Austin	Statesman	E	1914
Austin	American Statesman	S	1918
Beaumont	Enterprise	M	1903
Beaumont	Journal	E	1900
Beaumont	Enterprise	S	1903
Big Spring	Herald	E	1928
Big Spring	Herald	S	1928
Borger	Herald	E	1926
Borger	Herald	S	1933
Brownsville	Herald	E	1909
Brownsville	Herald	S	1912
Bryon	Eagle	E	1911
Corpus Christie	Caller	M	1909
Corpus Christie	Times	E	1928
Corpus Christie	Caller Times	S	1909
Corsicana	Sun	E	1900
Dallas	News	M	1900
Dallas	News	S	1900
Dallas	Times Herald	E	1900
Denton	Record Chronicle	E	1911
Del Rio	News Herald	E	1932
Denison	Herald	E	1905
Denison	Herald	S	1938
Edinburg	Valley Review	M	1927
El Paso	Times	M	1900
El Paso	Times	S	1900
El Paso	Herald Post	E	1902
Fort Worth	Star Telegram	M	1903
Fort Worth	Star Telegram	E	1903

[fol. 2409]

TEXAS (Cont'd)		M (Morning) E (Evening) S (Sunday)	Date Became Subscriber
Fort Worth	Star Telegram	S	1903
Gainesville	Register	E	1914
Galveston	News	M	1900
Galveston	Tribune	E	1900
Galveston	News	S	1900
Greeneville	Banner	E	1911
Greeneville	Herald	M	1922
Greeneville	Herald	S	1922
Harlingen	Valley Morning Sun	M	1928
Harlingen	Valley Morning Sun	S	1926
Hillsboro	Mirror	E	1911
Houston	Chronicle	E	1900
Houston	Chronicle	S	1929
Houston	Post	M	1900
Houston	Post	S	1901
Jacksonville	Progress	E	1919
Laredo	Times	E	1911
Laredo	Times	S	1934
Longview	Journal	M	1931
Longview	News	E	1930
Longview	News Journal	S	1931
Lubbock	Avalanche	M	1926
Lubbock	Journal	E	1925
Lubbock	Avalanche Journal	S	1926
Lufkin	News	E	1918
Lufkin	News	S	1940
McAllen	Monitor	E	1934
McAllen	Monitor	S	1942
Martin	Democrat	E	1918
Marshall	News Messenger	E	19—
Marshall	News Messenger	S	1938
Midland	Reporter Telegram	E	1934
Midland	Reporter Telegram	S	1940
Odessa	American	E	1933
Odessa	American	S	1939
Orange	Leader	E	1927
Orange	Leader	S	1927
Palestine	Herald Press	E	1911
Palestine	Herald Press	S	1935
Pampa	News	E	1927
Pampa	News	S	1927
Paris	News	E	1917
Paris	News	S	1917
Plainview	Herald	E	1913
Port Arthur	News	E	1927
Port Arthur	News	S	1927
San Angelo	Standard Times	M	1926
San Angelo	Standard Times	S	1925
San Angelo	Standard	E	1907
San Antonio	Express	M	1900

[fol. 2410]

		M (Morning) E (Evening) S (Sunday)	Date Became Subscriber
TEXAS (cont'd)			
San Antonio	News	E	1927
San Antonio	Light	E	1900
Sherman	Democrat	E	1911
Sulphur Springs	News Telegram	E	1924
Temple	Telegram	M	1910
Temple	Telegram	S	1910
Tyler	Telegram	M	1929
Tyler	Courier Times	E	1912
Tyler	Courier Times Telegraph	S	1929
Vernon	Record	E	1925
Waco	News Tribune	M	1911
Waco	Times Herald	E	1900
Waco	Tribune Herald	S	1911
Weatherford	Herald	E	1911
Wichita Falls	Record News	M	1918
Wichita Falls	Times	E	1907
Wichita Falls	Times	S	1912
Plainview	Herald	S	1929
UTAH			
Ogden	Standard Examiner	E	1900
Ogden	Standard Examiner	S	1903
Salt Lake City	Deseret News	E	1900
Salt Lake City	Tribune	M	1900
Salt Lake City	Telegram	E	1902
Salt Lake City	Tribune	S	1900
VERMONT			
Barre	Times	E	1911
Bennington	Banner	E	1918
Brattleboro	Reformer	E	1913
Burlington	Free Press	M	1900
Burlington	News	E	1900
Montpelier	Argus	E	1900
Newport	Express	E	1936
Rutland	Herald	M	1900
St. Albans	Messenger	E	1900
St. Johnsbury	Calendonian Record	E	1916
VIRGINIA			
Charlottesville	Progress	E	1928
Covington	Virginian	E	1930
Danville	Register	M	1900
Danville	Bee	E	1917
Danville	Register	S	1900
Fredericksburg	Free Lance Star	E	1918
Harrisonburg	News Record	M	1917
Lynchburg	News	M	1900
Lynchburg	Advance	E	1911
Lynchburg	News	S	1900
Martinsville	Bulletin	E	1935
Newport News	Press	M	1900
Newport News	Times Herald	E	1905
Newport News	Press	S	1900
Norfolk	Virginia Pilot	M	1900
Norfolk	Virginia Pilot	S	1900

[fol. 2411]

		M (Morning) E (Evening) S (Sunday)			Date Became Subscriber
VIRGINIA—Continued					
Norfolk	Ledger Dispatch		E		1905
Petersburg	Progress Index		E		1919
Petersburg	Progress Index			S	1900
Portsmouth	Star		E		1917
Portsmouth	Star			S	1919
Pulaski	Southwest Times		E		1940
Pulaski	Southwest Times			S	1940
Richmond	Times Dispatch	M			1900
Richmond	Times Dispatch			S	1900
Richmond	News Leader		E		1900
Roanoke	Times	M			1900
Roanoke	World News		E		1906
Roanoke	Times			S	1900
Staunton	News Leader	M			1917
Staunton	Leader		E		1917
Staunton	News Leader			S	1917
Strasburg	Northern Virginia Daily	M			1933
Suffolk	News Herald		E		1926
Waynesboro	News Virginian		E		1931
Winchester	Star		E		1919
WASHINGTON					
Aberdeen	World		E		1903
Bellingham	Herald		E		1900
Bellingham	Herald			S	1900
Bremerton	News Searchlight		E		1921
Centralia	Chronicle		E		1916
Ellensburg	Record		E		1910
Everett	Herald	M			1936
Everett	Herald		E		1901
Hoquiam	Washingtonian	M			1906
Hoquiam	Washingtonian			S	1906
Longview-Kelso	News		E		1923
Olympia	Olympian		E		1903
Olympia	Olympian			S	1924
Port Angeles	News		E		1923
Seattle	Post-Intelligencer	M			1900
Seattle	Post Intelligencer			S	1900
Seattle	Times		E		1900
Spokane	Spokesman Review	M			1900
Spokane	Spokesman Review			S	1900
Spokane	Chronicle		E		1900
Tacoma	News Tribune		E		1900
Vancouver	Columbian		E		1917
Walla Walla	Union Bulletin	M			1900
Walla Walla	Union Bulletin		E		1906
Walla Walla	Union Bulletin			S	1900
Wenatchee	World	M			1922
Wenatchee	World		E		1909
Yakima	Herald	M			1905
Yakima	Republic		E		1903
Yakima	Herald			S	1905

[fol. 2412]

		M (Morning) E (Evening) S (Sunday)			Date Become Subscriber
WEST VIRGINIA					
Beckley	Post Herald	M			1928
Beckley	Raleigh Register		E		1928
Beckley	Register			S	1928
Bluefield	Telegraph	M			1906
Bluefield	Sunset News		E		1926
Bluefield	Telegraph			S	1906
Charleston	Gazette	M			1906
Charleston	Gazette			S	1906
Charleston	Mail		E		1900
Clarksburg	Exponent	M			1919
Clarksburg	Telegram		E		1904
Clarksburg	Exponent Telegram			S	1919
Elkins	Inter-Mountain		E		1913
Fairmont	Times	M			1917
Fairmont	West Virginian		E		1913
Fairmont	Times-West Virginia			S	1917
Grafton	Sentinel		E		1913
Hinton	News		E		1924
Huntington	Herald Dispatch	M			1907
Huntington	Advertiser		E		1900
Huntington	Herald Advertiser			S	1907
Logan	Banner		E		1935
Martinsburg	Journal		E		1925
Morgantown	Dominion News	M			1917
Morgantown	Post		E		1913
Moundsville	Echo		E		1927
Parkersburg	News	M			1904
Parkersburg	News			S	1904
Point Pleasant	Register		E		1916
Welch	News		E		1923
Wheeling	Intelligencer	M			1900
Wheeling	Intelligencer & News			S	1900
Williamson	News		E		1924
WISCONSIN					
Antigo	Journal		E		1927
Appleton	Post Crescent		E		1922
Chippewa Falls	Herald Telegram		E		1920
Eau Claire	Leader	M			1906
Eau Claire	Telegram		E		1925
Eau Claire	Leader			S	1906
Fond du Lac	Commonwealth Reporter		E		1926
Green Bay	Press Gazette		E		1900
Janesville	Gazette		E		1906
Kenosha	News		E		1918
LaCrosse	Tribune & Leader Press		E		1900
LaCrosse	Tribune & Leader Press			S	1919
Madison	Capital Times		E		1917
Madison	Capital Times			S	1927
Manitowoc	Herald Times		E		1912
Marinette	Eagle Star		E		1903
Marshfield	News Herald		E		1921

[fols. 2413-2414]

		M (Morning) E (Evening) S (Sunday)			Date Became Subscriber
WISCONSIN (Cont'd)					
Milwaukee	Journal		E		1900
Milwaukee	Journal			S	1928
Milwaukee	Sentinel	M			1900
Milwaukee	Sentinel			S	1900
Monroe	Times		E		1926
Oshkosh	Northwestern		E		1900
Racine	Journal Times		E		1900
Rhinelander	News		E		1917
Shawona	Leader		E		1937
Sheboygan	Press		E		1927
Stevens Point	Journal		E		1937
Superior	Telegram		E		1900
Two Rivers	Reporter		E		1928
Wausau	Record Herald		E		1908
Wisconsin Rapids	Tribune		E		1917
WYOMING					
Casper	Tribune Herald		E		1918
Casper	Tribune Herald			S	1919
Cheyenne	State Tribune Leader		E		1900
Cheyenne	State Tribune Leader			S	1936
Laramie	Republican & Boomerang		E		1907
Sheridan	Press		E		1923
Sheridan	Press			S	1931
Lander	Post		E		1937
PHILIPPINES					
Manilla	Bulletin	M			1920
Manila	Tribune	M			1925
Manila	Tribune			S	1925

[fol. 2415] IN THE DISTRICT COURT OF THE UNITED STATES FOR THE SOUTHERN DISTRICT OF NEW YORK

Counter-Affidavits Filed in Support of Plaintiff's Motion for Summary Judgment

AFFIDAVIT OF ALFRED MCCLUNG LEE

STATE OF NEW YORK,
County of New York, ss:

Alfred McClung Lee, being duly sworn, deposes and says:

I have heretofore executed three affidavits on May 10, May 20, and May 22, 1943, respectively. I am informed that on May 25, 1943, these affidavits were filed by the plaintiff in the case of *United States* v. *The Associated Press*, Civil Action No. 19-163, now pending in the United States District Court for the Southern District of New York, in support of its motion for summary judgment. These affidavits have since been printed in a document which bears the title of said case and the further heading or designation, "Affidavits Filed in Support of Plaintiff's Motion for Summary Judgment". Attached to my affidavits of May 10, 1943, and May 22, 1943, were various exhibits containing statistical data computed by me and these exhibits, as printed in the document previously mentioned, cover more than 80 printed pages.

[fol. 2416] I have read an affidavit executed by Harold L. Cross on June 17, 1943, which affidavit, as I am informed, is one of a series of affidavits filed by the defendants in the *Associated Press* case on June 21, 1943. The affidavit of Mr. Cross undertakes to belittle the significance of some of the data shown by the exhibits attached to my affidavits of May 10, 1943, and May 22, 1943, but points to only one factual error therein. This involved the computation in Exhibit No. 7, attached to my affidavit of May 10, 1943, of the total population of the 25 largest cities of the country for the year 1900, 1910, 1920, 1930, and 1940, and the error in question was an understatement of the population total in each of these years by exactly 10,000,000, with a resulting error in the computation of the 1930 and 1940 population index numbers (based on 1920) for the total population of the 25 largest cities.

The computations appearing in the exhibits attached to my affidavits were carefully prepared and checked. The 10,000,000 error in the population totals in Exhibit No. 7 undoubtedly grew out of the fact that the tabulating machine used in computing the totals appearing in this exhibit did not record the figure carried forward when the addition exceeded 9,999,999, and by an inadvertent failure to make correctly, with respect to the population totals, the adjustment required by the mechanical limitation in the capacity of the tabulating machine.

With reference to the only error in the exhibits attached to my affidavits which has been called to my attention I desire to point out the following:

(1) The error as to population totals in Exhibit No. 7 (including index numbers for population) does not in any way affect the significance or accuracy of the other data (including index numbers) in that exhibit.

(2) I did not regard the population figures as of sufficient significance to warrant any reference to them in that portion of my affidavit of May 10, 1943, which discusses [fol. 2417] facts shown by Exhibit No. 7 and I am informed that the Government, in two briefs which it filed in the *Associated Press* case before it was aware of any error in population figures, made several references to the data contained in Exhibit No. 7 but made no reference, direct or indirect, to the figures or index numbers for population.

(3) The error in Exhibit No. 7 as to population totals involved five figures and two index numbers in an exhibit containing over 1350 separate figures or index numbers.

(4) The defendants in the *Associated Press* case have pointed out no other error in the many thousands of figures and other like data included in the exhibits attached to my affidavits of May 10, 1943, and May 22, 1943.

The correct population figures for the first table in Exhibit No. 7 are as follows:

Year	*Population*
1900	1? 76,438
1910	16,647,384
1920	20,696,355
1930	25,477,606
1940	26,745,522

The correct index numbers for population in the second table of Exhibit No. 7 are as follows:

Year	*Population*
1920	100
1930	128
1940	129

Subscribed and sworn to before me this — day of July, 1943. —— ——, *Notary Public.*

[fol. 2418] AFFIDAVIT OF JOHN HENRY LEWIN

DISTRICT OF COLUMBIA,
City of Washington, ss:

John Henry Lewin, being duly sworn, deposes and says:

I am a special Assistant to the Attorney General of the United States and one of the attorneys for the plaintiff in the case of *United States* v. *The Associated Press*, Civil Action No. 19-163, now pending in the United States District Court for the Southern District of New York.

On August 18, 1942, Thurman Arnold, Esq., then Assistant Attorney General, wrote and cause to be mailed to Morris Hadley, Esq., one of the attorneys for The Associated Press, a letter, a correct copy of which is attached hereto and made a part hereof and marked Exhibit A. It appears from said letter that Mr. Arnold requested Mr. Hadley to send him (1) a copy of the Declaration of Trust establishing the Employes' Benefit Fund as an irrevocable trust, as ratified and approved by the Board of Directors of The Associated Press on October 5, 1938, and (2) a copy of the revised pension plan known as the Pension Plan—Revision of 1938, which was ratified and approved by the Board of Directors at said meeting. On or about August 27, 1942, Mr. Arnold received a letter from Mr. Hadley dated August 25, 1942, a correct copy of which is attached hereto and made a part hereof and marked Exhibit B, enclosing copies of the two documents requested in Mr. Arnold's letter of August 18, 1942.

Exhibit C, attached hereto and made a part hereof, is a correct copy of the document entitled DECLARATION OF TRUST with respect to THE EMPLOYES' BENEFIT FUND, which was enclosed in Mr. Hadley's letter to Mr. Arnold of August 25, 1942. Exhibit D, attached hereto and made a part hereof, is a correct copy of the document entitled THE ASSOCIATED PRESS EMPLOYES' PENSION FUND—REVISION OF 1938, [fol. 2419] which was enclosed in Mr. Hadley's letter to Mr. Arnold of August 25, 1942.

(S.) John Henry Lewin.

Subscribed and sworn to before me this 2nd day of July, 1943. (S.) Dorothy J. Heale, Notary Public. (Seal.)

EXHIBIT A

August 18, 1942.

Milbank, Tweed & Hope, 15 Broad Street, New York
Broad Street, New York, N. Y.

Re: *The Associated Press*

DEAR MR. HADLEY:

On July 30, 1942, I wrote you asking you to send me all relevant documents relating to the establishment of the Employes' Benefit Fund. In your letter of August 11, 1942, to Mr. Lewin you sent him two documents relating to this fund. I should like you to send us as soon as possible a copy of the Declaration of Trust establishing the Employes' Benefit Fund as an irrevocable trust, as ratified and approved by the Board of Directors of The Associated Press on October 5, 1938. I should also like to have a copy of the revised pension plan known as the Pension Plan—Revision of 1938, which was ratified and approved by the Board of Directors at this same meeting.

Very truly yours, Thurman Arnold, Assistant Attorney General.

[fol. 2420] EXHIBIT B

Milbank, Tweed & Hope, 15 Broad Street, New York

August 25, 1942.

Re: *The Associated Press*
(HVC 60-127-19)

Hon. Thurman Arnold, Assistant Attorney General, Department of Justice, Washington, D. C.

DEAR MR. ARNOLD:

In accordance with the request in your letter of August 18th, I enclose the two documents for which you asked. These are the Declaration of Trust establishing the employees' benefit fund and the revised Pension Plan (revision of 1938).

Sincerely yours, (S.) Morris Hadley.

EXHIBIT C

Declaration of Trust
with respect to
The Employes' Benefit Fund

Know all men by these presents:

That, whereas, The Associated Press, a membership corporation, organized and existing under and by virtue [fol. 2421] of the laws of the State of New York, hereinafter referred to as the "Corporation", heretofore, and in or about the year 1918 created a plan, for the benefit of its employees, known and designated as "The Employes' Vacation, Pension, Disability Benefit and Death Benefit Plan"; and

Whereas, pursuant to and in accordance with the aforesaid plan, the Corporation has created and maintained a fund for the payment of pensions and benefits thereunder, which fund is known and designated as "the Employes' Benefit Fund"; and

Whereas, The Employes' Benefit Fund is invested in the securities listed on the Schedule annexed to and made

a part of this instrument and marked Schedule "A"; and

Whereas, it has been necessary and advisable to make certain changes in the administration of The Employes' Benefit Fund, which changes are outlined in the "Pension Plan—Revision of 1938"; approved by the Board of Directors of the Corporation on October 5, 1938;

Now, Therefore, in consideration of the premises, and to effectuate better the purposes of the aforesaid Plan, the Corporation shall and hereby does establish, set aside and declare The Employes' Benefit Fund, to be an irrevocable trust for the uses and purposes herein set forth, to wit:

First: The principal and income or profits from The Employes' Benefit Fund shall constitute a fund for the payment of pensions to employes of the Corporation who, at retiring age, shall have completed, at least, one year's continuous employment by the Corporation on or before December 31, 1938. Pensions to be paid out of such fund shall be in the amount stated, upon the terms and conditions set forth, and forth periods of service designated in the "Pension Plan—Revision of 1938", a copy of which is annexed to and made a part hereof.

[fol. 2422] Second: The Corporation shall hold and invest and reinvest The Employes' Benefit Fund and the income and profits thereof, in such securities as the Board of Directors of the Corporation may, from time to time deem advisable. After paying or providing for the payment of any and all expenses or other lawful charges in connection with the administration thereof, The Employes' Benefit Fund, and the income and profits thereof, shall be used and applied exclusively for the purposes herein set forth.

Third: The Employes' Benefit Fund shall, at all times, be held separate and apart from the general assets of the Corporation and shall not be commingled with such assets. The Corporation shall keep separate books of account for The Employes' Benefit Fund and in all financial statements, either public or private, in which The Employes' Benefit Fund shall be listed, it shall clearly appear that such fund is not part of the general assets of the Corporation.

Fourth: The Corporation shall have the right to make such changes in or amendments to the terms and conditions of the Plan governing the payment of pensions to employes

as therein provided, but no changes or amendments shall be made with respect to such Plan or the terms and conditions thereof which are inconsistent with or contrary to the provisions of this Declaration of Trust.

Fifth: If, after all of the obligations of the Corporation under the "Pension Plan—Revision of 1938", and under the terms of this instrument have been provided for, any balance shall remain in the said fund, such balance may, in the discretion of the Board of Directors of the Corporation, be used by the Corporation for either or both of the following purposes:

1. As a contribution to or to pay either the primary or periodic expense of any other fund then existing or which [fol. 2423] may thereafter be established or maintained by the Corporation, either directly or indirectly, or by any Federal, State or Municipal government or governmental agency, to provide for the payment of pensions to employes of the Corporation, irrespective of the time an employe's service begins with the Corporation.

2. As a contribution by the Corporation to any then existing plan or project for the benefit of the employes of the Corporation or as an allowance or bonus or honorarium for any employe or employes, or the dependents of any deceased employe of the Corporation, which the Board of Directors of the Corporation may designate.

Sixth: The Corporation shall have the right, at any time, to terminate its trusteeship of the trust established hereunder, and to transfer to and vest the administration of the trust in such trustee or trustees as the Board of Directors of the Corporation may designate. Such successor trustee or trustees shall have the same rights and obligations with respect to The Employes' Benefit Fund as are reserved to and assumed by the Corporation under this instrument.

Seventh: The Corporation shall have the right to liquidate The Employes' Benefit Fund whenever in the judgment of the Board of Directors of the Corporation it becomes advisable to do so. Upon such liquidation, the fund shall be used either to purchase pension insurance benefits for the employes entitled thereto in the amounts stated, upon the terms and conditions set forth, and for

the periods of service designated in the Pension Plan—Revision of 1938, or if the purchase of pension insurance benefits shall be deemed to be impractical by the Board of Directors of the Corporation, The Employes' Benefit Fund shall be distributed to such employes, the distributive share of each employe to be determined in accordance with the [fol. 2424] provisions of the Pension Plan—Revision of 1938 and standard actuarial tables.

If The Employes' Benefit Fund is used either to purchase pension insurance benefits or is distributed to the employes entitled thereto, as herein provided, the Corporation shall be discharged from all liability under the Pension Plan—Revision of 1938, and this instrument.

Eighth: This Declaration of Trust shall not, in any manner, limit any liability which is now or may be hereafter imposed by law upon the Corporation.

This Declaration of Trust is executed by the Corporation pursuant to authority of a resolution of its Board of Directors adopted at a meeting thereof, held at the offices of the Corporation in New York, N. Y., on the 5th day of October, 1938.

In witness whereof, the Corporation has cause these presents to be signed by its President and its corporate seal to be hereunto affixed and attested by its Secretary, the 7th day of October, 1938.

The Associated Press, by Robert McLean, President.

Attest: Kent Cooper, Secretary.

STATE OF NEW YORK,
County of New York, ss:

On the 7th day of October, 1938, before me personally came Robert McLean, to me known, who, being by me duly sworn, did depose and say, that he resides in Fort Washing-
[fol. 2425] ton, Pennsylvania; that he is the President of The Associated Press, the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of the said corporation, and that he signed his name thereto by like order.

EXHIBIT D

The Associated Press Employes Pension Fund

Revision of 1938

The Associated Press, General Manager's Office, New York, N. Y.

October 11, 1938.

TO THE EMPLOYES:

The Board of Directors at its meeting last week adopted a revision of The Associated Press "Employes' Vacation, Pension, Disability Benefit and Death Benefit Plan" which was the definition of the plan adopted first in 1918. En- [fol. 2426] closed is a copy of the plan affecting the fund created during the last 20 years. It is entitled "Revision of 1938", and is effective January 1, 1939.

The Board of Directors at the same meeting approved a proposal of a participating pension plan and also a participating insurance plan, the former taking into account the expense of and the expected payments under the United States government Social Security Act affecting old age benefits.

The insurance plan which is a proposed revision of the present Associated Press insurance plan is more liberal than has been possible in the past. The basis of both the pension and insurance plans is optional but three-fourths of the employes must participate in order to make each effective.

The above is all in pursuance of the statement I made early last year to the effect that a change in the employes' Benefit Plan obviously would have to be made and that study was being given to it. With the increasing taxes imposed by the government in connection with Social Security in conformity with government laws it is necessary to arrange future pension and insurance plans in The Associated Press with employe cooperation.

However, this communication is intended only to present the booklet on the revision of 1938 of the Employes' Benefit Plan as affects pensions. Later communications will outline the proposed pension plan and the proposed insurance plan.

If after thoroughly studying the enclosed booklet there are any questions to be asked I will appreciate it if the

letters of inquiry are addressed to L. F. Curtis, Treasurer of The Associated Press.

I sincerely hope that all employes will share my feeling that a large problem intimately affecting us all has been generously solved.

KC.

[fol. 2427] THE ASSOCIATED PRESS EMPLOYES' PENSION FUND

Revision of 1938

Effective January 1, 1939

Foreword

The Associated Press in 1918 created a plan known as the "Employes' Vacation, Pension, Disability Benefit and Death Benefit Plan".

When the fund which was established to make the plan effective was created by the Board of Directors of The Associated Press in 1918 it was named "The Employes' Benefit Fund".

The action at that time constituted a pioneer effort of the kind of employe-employer relations. For that reason it was then understood that while the conditions and regulations were and are subject to amendment, The Associated Press would endeavor to carry on the plan as originally announced, with only decennial revisions or amendments. The conditions and regulations were not altered at all until 1928 except that in the matter of insurance the voluntary grant was increased.

With the United States government having, effective January 1, 1937, itself established an old age pension plan at the expense of the employer and the employe, it was obvious that the conditions and regulations of this fund would have to be revised. Announcement was made last year that the matter was under consideration. It was decided to wait until the end of the second decennial period (1938) to announce any changes.

[fol. 2428] Earnest study of the conflicting situation has brought what apparently is the only possible conclusion, namely the necessity of no liabilities being permitted to accrue against the Employes' Benefit Fund after December

31 next. This action it is hoped will conserve the fund so that it can properly and adequately fulfill the pension grants for service accrued prior to that date. Another plan having no connection whatever with this one may be presented to be effective January 1, 1939, but the outline given herein shall be confined to a statement of the revision of the 1918 plan which was last revised in 1928. This revision shall be known as that of 1938.

The conditions and regulations originally included pension, life insurance and disability grants. Later vacation grants were incorporated. Under the revision now effective the expense of disability and vacation grants becomes a part of the general expenses of The Associated Press. The Employes' Benefit Fund will not be involved because of them. Life insurance may later be undertaken under another plan which will constitute the "Insurance Plan". This means that unless the Board finds it practical to include other benefits the existing Employes' Benefit Fund will be used solely for the payment of pensions in conformity with the revised Pension Plan herein outlined.

The Employes' Benefit Fund

(1) For the establishment of the fund The Associated Press has contributed variable amounts. The Board of Directors of The Associated Press shall decide as time goes on whether it is expedient for additional amounts to be appropriated in order to maintain the fund so that it can meet the grants herein mentioned. No contractual obligation to make such contributions to the fund, however, is assumed by The Associated Press.

(2) The fund itself shall be conserved for the employes under a trust indenture prepared in conformity with the [fol. 2429] law and shall be invested in such securities as the Board of Directors of The Associated Press may deem advisable, all income and profits from the investments to become a part of the fund. However, the Board of Directors of The Associated Press may cause the fund to be paid over to one or more insurance companies under an arrangement whereby the pension benefits specified in the pension plan would be paid directly to the beneficiaries by the insurance companies instead of by The Associated Press. Until such time as all pension obligations of those entitled thereto have been provided for, the fund can only be dis-

bursed under strict trusteeship for the benefit of employes of The Associated Press.

(3) A report showing the condition of the fund and the receipts and disbursements will be made available to employes from time to time.

Definitions

In these regulations:

(1) "The Board" shall mean the Board of Directors of The Associated Press.

(2) The word "employe" or "employes" shall mean those persons who receive a regular and stated compensation from The Associated Press, other than a pension and who do not have any other employer and whose assignments are not of a transitory character.

(3) "Fund" shall mean the Employes' Benefit Fund.

(4) The expression "term of employment" shall mean continuous employment in the service of The Associated Press.

(5) The word "plan" shall mean this pension plan as herein detailed or later amended by the Board.

[fol. 2430] (6) The term "employment" means any service performed by the employe for The Associated Press for which the employe is remunerated by The Associated Press.

(7) The word "trustee" shall mean the trustee of the Employes' Benefit Fund.

The Pension Plan

The Associated Press pension plan which was established as a part of the Employes' Benefit Plan in 1918 is administered in accordance with, and subject to, the conditions and regulations fixed by the Board of Directors of The Associated Press. The conditions and regulations, specified herein and hereafter called the plan, constitute the policy applicable to the distribution of the fund. The plan is subject to amendment by the Board, for either of the following two purposes.

1. To meet the expense of other pension benefits for employes if it is found the status of the fund will permit

after adequate provision has been made for the pension allowances payable under this plan, or,

2. To decrease the amount of pension allowances granted thereafter if it is found the status of the fund so requires.

Compulsory Retirement

Upon attaining the age of 65 years the employment of any male individual, or upon attaining the age of 55 years the employment of any female individual shall automatically terminate but such individual shall receive a pension if his or her term of employment qualifies him or her to receive a pension in accordance with the provisions of the plan. The ages of 65 for males and 55 for females shall in this plan be known as the normal retiring age.

[fol. 2431] Pension Allowances

Pension allowances payable at retiring age shall be the amounts that result from the following computation:

(1) The annual pension allowance payable, at normal retirement age, shall be 2% of the employe's average annual salary during his period of employment by The Associated Press in the decade 1929-1938, multiplied by the number of his or her years of continuous employment by The Associated Press (not exceeding 25 years) prior to January 1, 1939.

(2) None of the years of the employe's term of employment after December 31, 1938, shall be included in computing any pension allowance under this plan; but continuous employment after December 31, 1938, up to normal or optional retirement age is required to make the employe eligible to receive a pension allowance at such age. Termination of employment before normal retiring age cancels the right to receive a pension allowance except as provided under "optional retirements".

(3) If the employe shall not have completed at least one full year of continuous employment on December 31, 1938, he shall not be eligible to any pension allowance under this plan.

(4) No pension shall at any time be granted in excess of 50% of the average annual salary for the years of service (not exceeding 10 years) next preceding January 1, 1939.

(5) Pension allowances shall be paid in equal monthly installments from date of retirement to death of pensioner.

Optional Retirement

Any employe whose term of employment totals 15 years and who, if a male, has attained the age of 50 years, or, if a [fol. 2432] female, has attained the age of 40 years, may at his or her option, be retired and granted a pension which shall be a percentage of that to which the employe would be entitled at 65 years of age, if a male, and at 55 years of age, if a female, as follows:

If a male:	If a female:
At 50 years of age 28.0%	At 40 years of age 42.1%
At 51 years of age 30.0%	At 41 years of age 44.2%
At 52 years of age 32.2%	At 42 years of age 46.6%
At 53 years of age 34.6%	At 43 years of age 49.1%
At 54 years of age 37.3%	At 44 years of age 51.7%
At 55 years of age 40.2%	At 45 years of age 54.6%
At 56 years of age 43.5%	At 46 years of age 57.7%
At 57 years of age 47.2%	At 47 years of age 61.0%
At 58 years of age 51.3%	At 48 years of age 64.6%
At 59 years of age 55.9%	At 49 years of age 68.5%
At 60 years of age 61.1%	At 50 years of age 72.7%
At 61 years of age 67.0%	At 51 years of age 77.2%
At 62 years of age 73.6%	At 52 years of age 82.2%
At 63 years of age 81.3%	At 53 years of age 87.6%
At 64 years of age 90.0%	At 54 years of age 93.5%

General Provisions

(1) Neither the action of the Board of Directors in establishing this plan nor any action hereinafter taken by the Board thereunder shall be construed as giving to any officer, agent, or employe of The Associated Press the right to be retained in its service nor any right nor claim to any pension allowance if employment is discontinued, since all rights accruing under this plan terminate upon severance of employment.

(2) In case any benefit or pension for the employe's term of employment (such as additions to or in amendment of the United States government benefits for the calendar years 1937-1938 or any other of the years of employment

[fol. 2433] prior thereto upon which a pension allowance payable hereunder shall be computed), shall be payable under the laws now in force or hereafter enacted by any State or Country to an individual entitled to a pension hereunder in conformity with such laws, the annual pension payable under these regulations shall be reduced the annual equivalent of such benefit or pension prescribed by law. A payment made to a retired employe by or under the authority of the laws of any State or Country shall be deemed to be a pension payable under the laws of such State or Country within the meaning of this paragraph, whether the payment shall be made direct by The Associated Press or out of a fund under the custody and control of the State or Country or a commission thereof to which the employee as well as The Associated Press may have contributed.

(3) The right of any person to any future payment under this plan shall not be transferable or assignable, at law or in equity. If any employe or pensioner shall in any such manner encumber payments granted to him under this plan, all rights to future payments shall thereupon lapse and no further payments shall be made.

(4) Any tax imposed by any government authority on the Employes' Benefit Fund or upon its operations or upon the allowances paid from it shall, if ordered by such authority to be and thereupon is paid by The Associated Press, be deducted pro rata from the allowances paid to the pensioners hereunder and refunded to The Associated Press.

(5) Evidence of date of birth in such form as shall be satisfactory to the Board shall be furnished the Board before any pension allowance shall be paid.

(6) At the employer's request an employe at the employe's option may remain in service after normal retirement date, but during such period no pension shall be paid.